CITY OF ONTARIO
CITY COUNCIL/HOUSING AUTHORITY
AGENDA
APRIL 6, 2021

Paul S. Leon
Mayor

Alan D. Wapner
Mayor pro Tem

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member

Ruben Valencia
Council Member

Sheila Mautz
City Clerk

James R. Milhiser
Treasurer

Scott Ochoa
City Manager

Ruben Duran
City Attorney

WELCOME to a meeting of the Ontario City Council.

- **All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.**
- **Anyone wishing to provide public comment or to address the Council have been provided alternative measures including U.S. mail, email, and a website comment form. All public comments received by the established deadline for this meeting will be included as part of the official meeting record.**
- **In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.**

SPECIAL AND URGENT NOTICE

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), the Ontario City Council Meetings are being conducted via teleconference to limit in-person attendance at the upcoming meeting of the City of Ontario City Council and Housing Authority.

Members of the Public may utilize alternative measures established by the City of Ontario to view the City Council meetings and/or to address the Mayor and City Council Members.

The meeting will be live broadcast on local cable Channel 3 as well as live streamed at: www.ontarioca.gov/Agendas/CityCouncil or Zoom.

TO PROVIDE PUBLIC COMMENT: Those wishing to speak during the "Public Comment" portion for any Closed Session item must call 909-395-2900 between 5:15 p.m. and 5:30 p.m. the day of the meeting. Those wishing to speak during the "Public Comment" portion of the meeting or any item on "Consent Calendar" must call 909-395-2900 between 6:00 p.m. and 6:30 p.m. the day of the meeting.

TO COMMENT BY EMAIL: Submit your comments by email no later than 4:00 p.m. on the day of the meeting by emailing your name, agenda item you are commenting on and your comment to publiccomments@ontarioca.gov. All Comments received by the deadline will be forwarded to the City Council for consideration before action is taken on the matter.

TO COMMENT BY MAIL: To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Records Management, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be received by the Records Management Department no later than 4:00 p.m. on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the City Council for consideration before action us taken on the matter.

We appreciate your understanding during this unprecedented time of social distancing under the Stay at Home Order. These procedures may be modified in the future as social and public gathering protocols change.

ORDER OF BUSINESS

The regular City Council and Housing Authority meeting begins with Closed Session and Closed Session Comment at 5:30 p.m., Public Comment at 6:30 p.m. immediately followed by the Regular Meeting and Public Hearings. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

CALL TO ORDER *(OPEN SESSION)*

ROLL CALL

Wapner, Bowman, Dorst-Porada, Valencia, Mayor/Chairman Leon

CLOSED SESSION PUBLIC COMMENT

Members of the public who wish to address a closed session agenda item may do so by mailing comments to the City Clerk's Office, or by calling (909) 395-2900 between 5:15 - 5:30 p.m. or by emailing PublicComments@ontarioca.gov no later than 4:00 p.m. on the day of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

CLOSED SESSION

GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION
Brown v. City of Ontario, et al. U.S. District Court - Central District of California Case No. 5:20-cv-00476-DMG (SHKx)

GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION
Vera v. City of Ontario, et al. U.S. District Court - Central District of California Case No. 5:20-cv-1855-JWH (SHKx)

GC 54656.9(d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION
Robles, et al. v. City of Ontario et al., Case No. CIVDS2007038

ATTACHMENT: 20210406 Closed Session.pdf

PLEDGE OF ALLEGIANCE

Council Member Valencia

INVOCATION

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS **6:30 p.m.**

Members of the Public who wish to provide a general comment or address a specific agenda item may do so by mailing comments to the City Clerk's Office, or by calling (909) 395-2900 between 6:00 - 6:30 p.m. or by emailing PublicComments@ontarioca.gov no later than 4:00 p.m. on the day of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

AGENDA REVIEW/ANNOUNCEMENTS

The City Manager will go over all updated materials and correspondence received after the Agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council, Housing Authority and Industrial Development Authority of March 2, 2021, approving same as on file in the Records Management Department.

ATTACHMENT: 20210302 (Not Official Until Approved).pdf

2. BILLS & PAYROLL

Bills March 4, 2021 through March 11, 2021 and Payroll February 14, 2021 through February 27, 2021 when audited by the Finance Committee.

3. ***A DEVELOPMENT IMPACT FEE CREDIT AGREEMENT (FILE NO. PDIF20-011) BETWEEN THE CITY OF ONTARIO AND THE VINE INDUSTRIAL, LLC., AND TOSCANA SQUARE, LLC., FOR FACILITY CONSTRUCTION ASSOCIATED WITH THREE (3) DEVELOPMENT PLANS (FILE NOS. PDEV19-059, PDEV20-12, AND PDEV20-013), LOCATED AT THE NORTHWEST CORNER OF HAMNER AVENUE AND RIVERSIDE DRIVE, WITHIN THE TUSCANA VILLAGE SPECIFIC PLAN***

That the City Council approve the Development Impact Fee Credit Agreement (File No. PDIF20-010) between the City of Ontario and The Vine Industrial, LLC., and Toscana Square, LLC., for facility construction associated with three (3) Development Plans (File Nos. PDEV19-059, PDEV20-12, and PDEV20-013), located at the northwest corner of Hamner Avenue and Riverside Drive, within the Tuscana Village Specific Plan and authorize the City Manager to execute the agreement.

4. ***A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 20170 LOCATED AT THE SOUTHWEST CORNER OF VINEYARD AVENUE AND ELM STREET***

That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 20170, located at the southwest corner of Vineyard Avenue and Elm Street.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 20170, LOCATED AT THE SOUTHWEST CORNER OF VINEYARD AVENUE AND ELM STREET.

ATTACHMENT: 20210406 Parcel Map No. 20170^01 EXH A
ATTACHMENT: 20210406 Parcel Map No. 20170^02 RESO^RM

5. ***APPROVAL OF SIDE LETTERS AMENDING THE MEMORANDUM OF UNDERSTANDINGS FOR THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION AND THE ONTARIO FIRE MANAGEMENT GROUP IN ACCORDANCE WITH MODIFICATIONS REQUESTED BY CALPERS.***

That the City Council, by motion, adopt resolutions to approve side letters amending the Memorandum of Understandings (MOU's) in accordance with modifications requested by the California Public Employees Retirement System (CALPERS) to ensure that pension benefits are properly calculated.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING SIDE LETTERS AMENDING THE MEMORANDUM OF UNDERSTANDING FOR EMPLOYEES REPRESENTED BY THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING SIDE LETTERS AMENDING TO THE MEMORANDUM OF UNDERSTANDING FOR EMPLOYEES REPRESENTED BY THE ONTARIO FIRE MANAGEMENT GROUP.

ATTACHMENT: 20210406 Amending MOU for FFA -Final^01 RESO^RM
ATTACHMENT: 20210406 FFA Exhibits A - H^02 EXH
ATTACHMENT: 20210406 Amending MOU for FMG - Final^03 RESO^RM
ATTACHMENT: 20210406 FMG Exhibits A - E^04 EXH

6. AN ORDINANCE TO AMEND THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT ("DCCPUD") AMENDING CERTAIN PROVISIONS TO: [1] BRING THE DCCPUD INTO CONSISTENCY WITH THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN AND CITY'S DEVELOPMENT CODE; [2] AMEND CERTAIN LAND USE AND DEVELOPMENT STANDARDS APPLICABLE TO BLOCKS A1 AND C1, INCLUDING BUT NOT LIMITED TO ALLOWING FOR GROUND FLOOR RESIDENTIAL LAND USES, AT GRADE STAND-ALONE PARKING STRUCTURES, AND AN INCREASE IN THE MAXIMUM HEIGHT OF BUILDING ELEMENT PROJECTIONS (FROM 60 FEET TO 65 FEET), REVISION TO ALLOW VEHICULAR ACCESS POINTS, AND MODIFY MINIMUM PARKING STALL AND DRIVE AISLE STANDARDS; AND [3] MAKE VARIOUS REVISIONS NECESSARY FOR INTERNAL CONSISTENCY OF THE DCCPUD

That the City Council consider and adopt an ordinance approving File No. PUD20-002, amending the Downtown Civic Center Planned Unit Development.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD20-002, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT (”DCCPUD”), AMENDING CERTAIN PROVISIONS TO: [1] BRING THE DCCPUD INTO CONSISTENCY WITH THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN AND CITY'S DEVELOPMENT CODE; [2] AMEND CERTAIN LAND USE AND DEVELOPMENT STANDARDS APPLICABLE TO BLOCKS A1 AND C1, INCLUDING BUT NOT LIMITED TO ALLOWING FOR GROUND FLOOR RESIDENTIAL LAND USES, AT GRADE STAND-ALONE PARKING STRUCTURES, AND AN INCREASE IN THE MAXIMUM HEIGHT OF BUILDING ELEMENT PROJECTIONS (FROM 60 FEET TO 65 FEET), REVISION TO ALLOW VEHICULAR ACCESS POINTS, AND MODIFY MINIMUM PARKING STALL AND DRIVE AISLE STANDARDS; AND [3] MAKE VARIOUS REVISIONS NECESSARY TO INTERNAL CONSISTENCY OF THE DCCPUD.AND MAKING FINDINGS IN SUPPORT THEREOF— APNS: 1048-547-29, 1048-547-36, 1048-553-15, 1048-551-13, 1048-552-13, 1048-553-13, 1048-547-33, 1048-547-34, 1048-553-02, 1048-553-04, 1048-547-30, 1048-552-21, 1048-547-32, 1048-551-11, 1048-547-94, 1048-553-11, 1048-547-31, 1048-553-06, 1048-551-10, 1048-547-39, 1048-547-43, 1048-553-09, 1048-553-10, 1048-547-42, 1048-551-12, 1048-553-16, 1048-553-05, 1048-553-14, 1048-552-17, 1048-552-17, 1048-553-17, 1048-547-40, 1048-553-08, 1048-554-11, 1048-553-12, 1048-547-44, 1048-547-37, 1048-553-07, 1048-547-35, 1048-553-01, 1048-553-03, 1048-547-87, 1048-548-30, 1048-547-81, 1048-547-88, 1048-547-69, 1048-547-76, 1048-548-40, 1048-547-47, 1048-547-89, 1048-547-64, 1048-547-85, 1048-547-51, 1048-547-77, 1048-547-38, 1048-547-70, 1048-547-45, 1048-548-12, 1048-547-71, 1048-547-73, 1048-547-56, 1048-547-92, 1048-547-83, 1048-548-02, 1048-547-49, 1048-547-46, 1048-547-48, 1048-547-91, 1048-548-24, 1048-547-41, 1048-548-47, 1048-547-90, 1048-548-54, 1048-548-15, 1048-547-72, 1048-547-82, 1048-547-50, 1048-547-68, 1048-547-84, 1048-547-86, 1048-547-52, 1048-548-48, 1048-547-80, 1048-547-78,

1048-548-32, 1048-547-55, 1048-547-66, 1048-548-21, 1048-548-23, 1048-547-62, 1048-548-06, 1048-547-63, 1048-547-79, 1048-547-61, 1048-547-59, 1048-548-25, 1048-548-31, 1048-548-20, 1048-548-05, 1048-548-46, 1048-548-03, 1048-548-41, 1048-548-42, 1048-548-27, 1048-547-60, 1048-548-34, 1048-548-43, 1048-548-26, 1048-548-01, 1048-547-67, 1048-548-29, 1048-547-65, 1048-548-04, 1048-548-22, 1048-547-54, 1048-548-07, 1048-548-44, 1048-547-75, 1048-547-57, 1048-547-58, 1048-548-45, 1048-547-27, 1048-547-21, 1048-547-23, 1048-547-15, 1048-552-15, 1048-548-08, 1048-548-11, 1048-548-49, 1048-547-16, 1048-548-52, 1048-548-18, 1048-548-13, 1048-548-09, 1048-548-53, 1048-548-28, 1048-547-22, 1048-547-12, 1048-548-39, 1048-552-22, 1048-552-22, 1048-548-36, 1048-548-19, 1048-547-18, 1048-548-33, 1048-548-35, 1048-552-18, 1048-548-16, 1048-547-13, 1048-547-20, 1048-548-38, 1048-547-24, 1048-548-10, 1048-548-50, 1048-548-51, 1048-548-17, 1048-547-25, 1048-547-26, 1048-547-14, 1048-548-37, 1048-552-14, 1048-552-14, 1048-548-14, 1048-547-19, 1048-547-11, 1048-547-17, 1048-547-09, 1048-547-10, 1048-547-04, 1048-547-08, 1048-547-07, 1048-547-05, 1048-547-06.

ATTACHMENT: 20210406 File No. PUD20-002^01 PC Backup
ATTACHMENT: 20210406 File No. PUD20-002^02 ORD^RM
ATTACHMENT: 20210406 File No. PUD20-002^03 EXH A

7. A CONSTRUCTION CONTRACT FOR THE ONTARIO MUSEUM OF HISTORY AND ART GALLERY IMPROVEMENTS AND STORAGE

That the City Council take the following actions:

A. Reject iBuild Spectrum's protest against the Stone Collector for D&C19-009-Ontario Museum of History & Art Gallery Improvements and Storage Project in its entirety;
B. Reject CB Kenner, Inc.'s protest against The Stone Collector for Construction Contract No. D&C19-009 - Ontario Museum of History & Art Gallery Improvements and Storage Project in its entirety;
C. Authorize the City Manager to complete and execute Construction Contract No. D&C19-009 - Ontario Museum of History & Art Gallery Improvements and Storage Project with The Stone Collector of Fullerton, CA for the renovation of the Museum's Built On Water Exhibit, ADA Restroom, Bid Alternative No. 1 - Carlson Exhibit and Bid Alternative No. 2 - Offsite Storage in the amount of $712,600;
D. Authorize a 20% contingency of $142,520 to address any unforeseen issues that may arise during construction; and
E. Authorize the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

8. AGREEMENT WITH CUCAMONGA VALLEY WATER DISTRICT AND AGREEMENT WITH TOPGOLF AND THE COUNTY OF SAN BERNARDINO FOR SEWER SERVICE

That the City Council approve and authorize the City Manager to negotiate and execute two sewer service agreements (on file in the Records Management Department), subject to non-substantive changes, one with Cucamonga Valley Water District (CVWD); and the second with Topgolf USA SBD, LLC. (Topgolf) and the County of San Bernardino (County).

9. A RESOLUTION APPROVING THE UPDATE OF THE SEWER SYSTEM MANAGEMENT PLAN

That the City Council adopt a resolution approving the update of the Sewer System Management Plan (SSMP).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE UPDATE OF THE SEWER SYSTEM MANAGEMENT PLAN (SSMP).

ATTACHMENT: 20210406 Sewer System Mgmt. Plan^01 RESO^RM
ATTACHMENT: 20210406 Sewer System Mgmt. Plan^02 EXH A

10. A MAINTENANCE SERVICES AGREEMENT FOR RESIN REPLACEMENT, REPAIRS, AND MAINTENANCE AT WELL 41 ION EXCHANGE WELLHEAD TREATMENT FACILITY

That the City Council authorize the City Manager to execute a Maintenance Services Agreement (on file in the Records Management Department) with Calgon Carbon Corporation, of Moon Township, Pennsylvania, in the amount of $600,000 for Resin Replacement, Repairs and Maintenance at Well 41 Ion Exchange Wellhead Treatment Facility.

PUBLIC HEARINGS

Pursuant to Government Code Section 65009, if you challenge the City's zoning, planning or any other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the public hearing. Affidavits of posting compliance, for all items below, are on file with the Records Management Department.

11. A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES); AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES

That the City Council consider and:

A. Adopt a resolution of formation of Community Facilities District No. 59 (Gateway Services), and authorizing the levy of special taxes within the community facilities district;
B. Adopt a resolution calling a special election for City of Ontario Community Facilities District No. 59 (Gateway Services);
C. Adopt a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien; and
D. Introduce and waive further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 59 (Gateway Services).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES.

ATTACHMENT: 20210406 Community Facilities District No.59 Gateway Services^01 RESO-Formation^RM
ATTACHMENT: 20210406 Community Facilities District No. 59 Gateway Services^01A EXH B RMA.pdf
ATTACHMENT: 20210406 Community Facilities District No.59 Gateway Services^02 RESO-Calling Special Election^RM
ATTACHMENT: 20210406 Community Facilities District No.59 Gateway Services^03 RESO-Declaring Results^RM
ATTACHMENT: 20210406 Community Facilities District No.59 Gateway Services^04 ORD^RM
ATTACHMENT: 20210406 Community Facilities District No.59 Gateway Services^05 Back-Up-Notice of Special Tax Lien^RM
ATTACHMENT: 20210406 Community Facilities District No.59 Gateway Services^06 Back-Up-Concurrence Election Official^RM
ATTACHMENT: 20210406 Community Facilities District No. 59 Gateway Services^07 Back-Up CFD Hearing Report.pdf
ATTACHMENT: 20210406 Community Facilities District No. 59 Gateway Services^08 Back-Up Registrar of Voter Certificate.pdf

12. A RESOLUTION DECLARING RESULTS OF MAJORITY PROTEST PROCEEDINGS AND MODIFYING THE GREATER ONTARIO TOURISM MARKETING DISTRICT MANAGEMENT DISTRICT PLAN

That the City Council hold a final hearing, and adopt a resolution declaring the results of the majority protest proceeding to modify the Greater Ontario Tourism Marketing District Management District Plan.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, MODIFYING THE MANAGEMENT DISTRICT PLAN OF THE GREATER ONTARIO TOURISM MARKETING DISTRICT.

ATTACHMENT: 20210406 Modifying Mgmt. District Plan for GOTMD^01 RESO^RM
ATTACHMENT: 20210406 Ontario Tourism Marketing District- Modified Plan^02 Report

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

13. A RESOLUTION EXTENDING THE LOCAL EMERGENCY, DIRECTING THE EMERGENCY ORGANIZATION OF THE CITY OF ONTARIO TO TAKE THE NECESSARY STEPS FOR THE PROTECTION OF LIFE, HEALTH AND SAFETY IN THE CITY OF ONTARIO, AND WAIVING PLANNING AND BUILDING PERMIT FEES ASSOCIATED WITH THE LOCAL EMERGENCY.

That the City Council adopt a resolution extending the local emergency directing staff to take the necessary steps for the protection of life, health and safety and waive planning and building permit fees pertaining to the Francis incident and associated with getting residents back into their homes as soon as possible.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, EXTENDING THE LOCAL EMERGENCY, DIRECTING THE EMERGENCY ORGANIZATION OF THE CITY OF ONTARIO TO TAKE THE NECESSARY STEPS FOR THE PROTECTION OF LIFE, HEALTH AND SAFETY IN THE CITY OF ONTARIO, AND WAIVING ALL PLANNING AND BUILDING PERMIT FEES ASSOCIATED WITH THE LOCAL EMERGENCY.

ATTACHMENT: 20210406 Continued Local Emergency^01 RESO^RM
ATTACHMENT: 20210406 Continued Local Emergency Evacuation Map^02 EXH.pdf

STAFF MATTERS

CITY MANAGER OCHOA

COUNCIL MATTERS

MAYOR LEON
MAYOR PRO TEM WAPNER
COUNCIL MEMBER BOWMAN
COUNCIL MEMBER DORST-PORADA
COUNCIL MEMBER VALENCIA

ADJOURNMENT

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council // Housing Authority // Other // *(GC 54957.1)*
April 6, 2021

ROLL CALL: Wapner _, Bowman _, Dorst-Porada _, Valencia _, Mayor / Chairman Leon _.

STAFF: City Manager / Executive Director __, City Attorney __

In attendance: Wapner _, Bowman _, Dorst-Porada _,Valencia _, Mayor / Chairman Leon _.

- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION Brown v. City of Ontario, et al. U.S. District Court - Central District of California Case No. 5:20-cv-00476-DMG (SHKx)

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

In attendance: Wapner _, Bowman _, Dorst-Porada _,Valencia _, Mayor / Chairman Leon _.

- GC 54956.9 (d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION Vera v. City of Ontario, et al. U.S. District Court - Central District of California Case No. 5:20-cv-1855-JWH (SHKx)

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council // Housing Authority // Other // *(GC 54957.1)*
April 6, 2021
(continued)

In attendance: Wapner _, Bowman _, Dorst-Porada _,Valencia _, Mayor / Chairman Leon _.

- GC 54656.9(d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION Robles, et al. v. City of Ontario et al., Case No. CIVDS2007038

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

Reported by:

_____
City Attorney / City Manager / Executive Director

ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY/
INDUSTRIAL DEVELOPMENT AUTHORITY
MINUTES
MARCH 2, 2021
(Not official Until Approved)

JOINT MEETINGS

Regular meetings of the Ontario City Council/Ontario Housing Authority/Industrial Development Authority were held on Tuesday, March 2, 2021, at the Ontario City Hall, 303 East B Street, Ontario, California.

CALL TO ORDER

Mayor Leon called the Joint City Council, Ontario Housing Authority, and Industrial Development Authority meetings to order at 5:32 p.m.

SPECIAL AND URGENT ANNOUNCEMENT

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), the Ontario City Council Meetings are being conducted via teleconference to limit in-person attendance at meetings of the City of Ontario City Council, Housing Authority, and Industrial Development Authority.

Members of the public were advised to utilize alternative measures to view the City Council meetings and/or to address the Mayor and City Council Members.

The meeting was live broadcast on local cable Channel 3, as well as internet live streamed at www.ontarioca.gov/Agendas/CityCouncil.

ROLL CALL

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chair	Alan D. Wapner
	Council/Authority/Board Members:	Jim W. Bowman, Debra Dorst-Porada and Ruben Valencia (all participating via teleconference)
ABSENT:	Council/Authority/ Board Members:	None

Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran, and City Clerk/Secretary Sheila Mautz (all participating via teleconference).

CLOSED SESSION

Mayor Leon inquired whether persons were present who wished to speak to the Closed Session items. Hearing no one, City Attorney Duran announced the matters for discussion, noting the second item on Closed Session will be removed.

ITEM REMOVED FROM CLOSED SESSION:

- GC 54656.9(d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION City of Ontario v. Culhane, Riverside Superior Court Case No. RIC1901791

The City Council recessed to Closed Session at 5:36 p.m. for discussion of the following:

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
  Property: APNs: 1048-565-01 and 1048-565-03; 236 North Laurel Avenue and 245 North Euclid Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating parties 245 Ontario Place, LLC; Under Negotiation: Price and terms of payment.

- GC 54656.9(d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION Robles, et al. v. City of Ontario et al., Case No. CIVDS2007038

- GC 54956.9(e)(5), CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION - A copy of the documented threat is available in the Records Management Department.

CALL TO ORDER – OPEN SESSION

Mayor Leon called the City Council, Ontario Housing Authority and Industrial Development Authority meetings to order at 6:32 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Bowman.

INVOCATION

Mayor Leon led a moment of silent reflection in lieu of the Invocation.

REPORT ON CLOSED SESSION

City Attorney Duran announced the removal of the second item on Closed Session in public session and stated there was no reportable action on the remaining Closed Session items.

PUBLIC COMMENTS

Assistant City Clerk Isbell reported one emailed comment as follows:

Celina Sedillo, regarding the Learning Success Camp.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa made no announcements.

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried by unanimous roll call vote of those present, to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

City Council approved Minutes for the regular meeting of the City Council and Housing Authority of February 2, 2021.

2. BILLS/PAYROLL

City Council approved **Bills** for the period January 29, 2021 through February 11, 2021 in the amount of $19,842,255.28 and **Payroll** for the period January 17, 2021 through January 30, 2021 in the amount of $3,358,209.80 when audited by the Finance Committee.

3. A DEVELOPMENT IMPACT FEE CREDIT AGREEMENT (FILE NO. PDIF19-008) BETWEEN THE CITY OF ONTARIO AND SC ONTARIO DEVELOPMENT COMPANY, LLC., FOR FACILITY CONSTRUCTION ASSOCIATED WITH TRACT MAP NOS. 18048 (FILE NO. PMTT06-039) AND 20316 (FILE NO. PMTT19-020), LOCATED AT THE SOUTHWEST CORNER OF ONTARIO RANCH ROAD AND ARCHIBALD AVENUE, WITHIN THE PARKSIDE SPECIFIC PLAN

The City Council approved the Development Impact Fee Credit Agreement (File No. PDIF19-008) between the City of Ontario and SC Ontario Development Company, LLC., for facility construction associated with Tract Map Nos. 18048 (File No. PMTT06-039) and 20316 (File No. PMTT19-020), located at the southwest corner of Ontario Ranch Road and Archibald Avenue, within the Parkside Specific Plan, and authorized the City Manager to execute the agreement.

4. AUTHORIZE THE PURCHASE OF FIRE 800 MHZ RADIOS

The City Council:

A. Appropriated $1.6 million dollars from the Information Technology assigned fund balance for the purchase of new fire 800 MHz radios and accessories. This will be included in the Third-Quarter Budget Update.

B. Authorized the City Manager to execute the sole source purchase agreement with Motorola Solutions, Inc. of Chicago, Illinois.

5. STATE OF CALIFORNIA DEPARTMENT OF JUSTICE PROPOSITION 56 TOBACCO ENFORCEMENT GRANT

The City Council authorized the City Manager or designee to accept and execute grant documents to accept a 36-month grant in the amount of $161,100 from the California Department of Justice to fund overtime enforcement operations which address tobacco-related problems in the community.

6. AUTHORIZE THE PURCHASE OF NETWORK EQUIPMENT

The City Council awarded Bid No. 1402 and authorized the purchase of network switch equipment from Computacenter FusionStorm, Inc. of Westwood, Massachusetts, in the amount of $112,804.

7. VOTING DELEGATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) GENERAL ASSEMBLY

The City Council designated Council Member Dorst-Porada as the City's voting delegate for the Southern California Association of Governments (SCAG) General Assembly scheduled for Thursday, May 6, 2021.

PUBLIC HEARINGS

8. A PUBLIC HEARING ON THE MODIFICATION OF THE GREATER ONTARIO TOURISM MARKETING DISTRICT PLAN

The City Council opened public testimony to allow members of the public to provide comments on the modification of the Greater Ontario Tourism Marketing District (GOTMD) Management District Plan.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department.

There were two written communications in opposition, as follows:

Jenny Liu, with Best Western Plus and *David Chavez,* with Azure Hotel & Suites in opposition.

Mayor Leon opened the public hearing asking those persons interested in this item to speak. Hearing no one, Mayor Leon closed the public hearing.

Michael K. Krouse, President and CEO of the Toyota Arena, provided an overview of the item.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada, and carried by unanimous roll call vote of those present to close the public hearing until the next scheduled hearing on April 6, 2021.

ADMINISTRATIVE REPORTS/DISCUSSION/ACTION

9. FISCAL YEAR 2020-21 MID-YEAR BUDGET UPDATE REPORT

The City Council:

A. Approved the budget adjustments and recommendations as listed in the Fiscal Year 2020-21 Mid-Year Budget Update Report (Exhibit A);
B. Approved the consolidation of previously purchased assets in the Capital Projects Fund (Fund 017) to the Pension Benefits Fund (Fund 094) for land held for resale investment in real property;
C. Approved the internal borrowing and transfers related to the Pension Benefits Fund to be utilized for investment in real property;
D. Considered and adopted the resolution authorizing the City Manager to execute all documents necessary to enter a lease financing arrangement; and

The Industrial Development Authority Board:

A. Considered and adopted the resolution authorizing the execution and delivery of a site, lease agreement, and other related documents in connection with working capital financing through a lease financing agreement.

RESOLUTION NO. 2021-022 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING EXECUTION AND DELIVERY OF A SITE LEASE, A LEASE AGREEMENT, AND OTHER RELATED DOCUMENTS IN CONNECTION WITH ENTERING INTO A LEASE OBLIGATION THROUGH A LEASE FINANCING ARRANGEMENT WITH THE ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY AND CERTAIN OTHER ACTIONS RELATING THERETO.

RESOLUTION NO. OIDA-58 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ONTARIO INDUSTRIAL DEVELOPMENT AUTHORITY, OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING EXECUTION AND DELIVERY OF A SITE LEASE, A LEASE AGREEMENT, AND OTHER RELATED DOCUMENTS IN CONNECTION WITH THE WORKING CAPITAL FINANCING THROUGH A LEASE FINANCING ARRANGEMENT WITH THE CITY AND CERTAIN FUNDS OF THE CITY, AND CERTAIN OTHER ACTIONS RELATING THERETO.

City Manager Ochoa provided an overview of the item.

City Attorney Duran noted both City Council and Industrial Development Authority resolutions were being approved with one motion.

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Bowman, and carried by unanimous roll call vote of those present to adopt Resolution No. 2021-022 and Resolution No. OIDA-58.

STAFF MATTERS

City Manager Ochoa did not have any announcements.

COUNCIL COMMENTS

Mayor pro Tem Wapner indicated he would provide a Transportation report at the next meeting.

Council Member Bowman complimented staff for their work on the budget.

Council Member Dorst-Porada complimented Museum staff for their hard work.

Mayor Leon made no comments.

Council Member Valencia made no comments.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 6:47 p.m. to the next regular meetings to be held on Tuesday, March 16, 2021.

Respectfully submitted,

_____
SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:

_____
PAUL S. LEON, MAYOR/CHAIRMAN

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Development Administration Prepared By: Derrick E Womble Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 3

SUBJECT: A DEVELOPMENT IMPACT FEE CREDIT AGREEMENT (FILE NO. PDIF20-011) BETWEEN THE CITY OF ONTARIO AND THE VINE INDUSTRIAL, LLC., AND TOSCANA SQUARE, LLC., FOR FACILITY CONSTRUCTION ASSOCIATED WITH THREE (3) DEVELOPMENT PLANS (FILE NOS. PDEV19-059, PDEV20-12, AND PDEV20-013), LOCATED AT THE NORTHWEST CORNER OF HAMNER AVENUE AND RIVERSIDE DRIVE, WITHIN THE TUSCANA VILLAGE SPECIFIC PLAN

RECOMMENDATION: That the City Council approve the Development Impact Fee Credit Agreement (File No. PDIF20-010) between the City of Ontario and The Vine Industrial, LLC., and Toscana Square, LLC., for facility construction associated with three (3) Development Plans (File Nos. PDEV19-059, PDEV20-12, and PDEV20-013), located at the northwest corner of Hamner Avenue and Riverside Drive, within the Tuscana Village Specific Plan and authorize the City Manager to execute the agreement.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: Approval of the proposed Development Impact Fee ("DIF") Credit Agreement (File No. PDIF20-011) will result in no fiscal impact to the City's General Fund. The project's Development Plans (File Nos. PDEV19-059, PDEV20-12, and PDEV20-013) and related Conditions of Approval (COA) require The Vine Industrial, LLC., and Toscana Square, LLC. ("Developer") to construct DIF Program infrastructure with an estimated cost of $751,255. The proposed DIF Credit Agreement defines the amount of DIF Credit that the Developer may be eligible to receive for construction of these improvements. The DIF Credit that the Developer will receive upon completion of the improvements may be exchanged for a refund of DIF that was paid by the Developer (up to the Developer's maximum DIF obligation) in the respective DIF category.

BACKGROUND & ANALYSIS: On October 27, 2020, the Planning Commission adopted Resolution Nos. PC20-083, PC20-085, and PC20-086, approving three (3) separate Development Plans (File Nos.

PDEV19-059, PDEV20-12, and PDEV20-013) located at the northwest corner of Riverside Drive and Hamner Avenue - File No. PDEV19-059, a Development Plan to construct three (3) industrial buildings totaling 295,991 square feet on 13.19 acres of land; File No. PDEV20-012, a Development Plan to construct a 3,062 square foot convenience store (7-Eleven) and ancillary drive-thru car wash on 1.27 acres of land; and, File No. PDEV20-013, a Development Plan to construct a 2,490 square foot commercial building (Starbucks) with a drive-thru on 1.18 acres of land.

Per the Development Plans and related COA, the Developer is required to construct DIF Program infrastructure to serve the Development Plans. Improvements include the installation of recycled water, street improvements, and a traffic signal, generally located along the northside of Riverside Drive and westerly half of Hamner Avenue, within the Tuscana Village Specific Plan development area.

Pursuant to the City's adopted DIF Credit policies, construction of DIF Program facilities requires the Developer and the City to enter into a DIF Credit Agreement ("Agreement"). The terms of the proposed Agreement specify the defined portion of the infrastructure to be constructed by the Developer in the Local Adjacent or Regional DIF categories and includes an estimate of the maximum DIF Credit (not reimbursement) that may be applied in the respective Local Adjacent or Regional DIF category. This infrastructure is within the General City Local Water and Streets infrastructure categories. Since the maximum eligible costs in the Agreement for the required infrastructure exceeds the Developer's DIF obligation, the Developer is eligible to receive DIF Credit under the proposed Agreement.

The proposed Agreement complies with the City's DIF policies and is in conformance with the approved Development Agreements and related conditions. Under the provisions of the City's DIF Program, the City Manager is authorized to execute such agreements upon approval by the City Council.

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Miguel Sotomayor Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Raymond Lee Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 4

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 20170 LOCATED AT THE SOUTHWEST CORNER OF VINEYARD AVENUE AND ELM STREET

RECOMMENDATION: That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Parcel Map No. 20170, located at the southwest corner of Vineyard Avenue and Elm Street.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: There is not a direct fiscal impact associated with this action. All public infrastructure improvements required for this subdivision will be constructed by the developer at its sole cost.

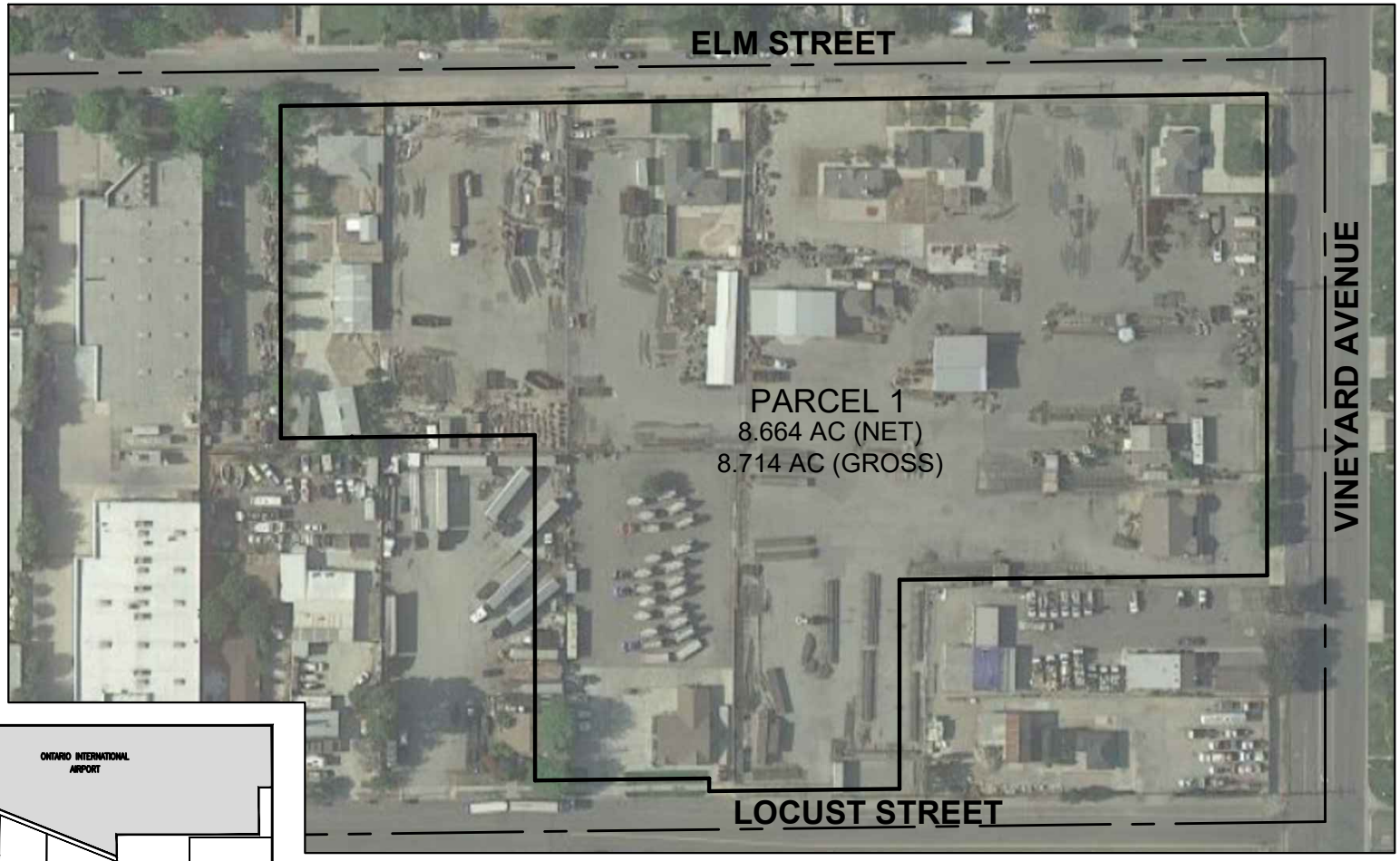
BACKGROUND & ANALYSIS: A Final Parcel Map (No. 20170) consisting of a single industrial lot and two (2) lettered lots on approximately 9 acres, as shown on Exhibit A, has been submitted by Duke Realty Vineyard & Elm LP, a Delaware Limited Partnership (Ms. Nancy Shultz, Regional Senior Vice President). The Tentative Parcel Map (No. 20170) was approved by the Planning Commission on June 30, 2020.

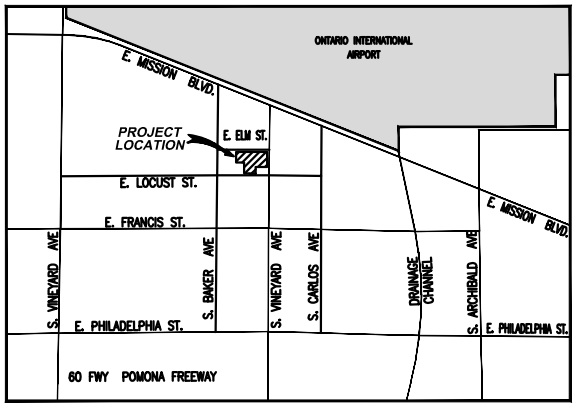
Improvements will include street widening, curb, gutter sidewalk, street lights, parkway landscaping with irrigation, power pole relocation, fiber optic, sewer lateral and water services. Improvements in the parkway will be consistent with current City approved drought measures.

The developer has entered into an Improvement Agreement with the City for Final Parcel Map No. 20170 and has posted adequate security to ensure construction of the required improvements.

The map meets all conditions of the Subdivision Map Act and the Ontario Municipal Code and has been reviewed and approved by the City Engineer.

EXHIBIT A
PM 20170





VICINITY MAP
N.T.S.

WestLAND Group, Inc.
Land Surveyors • Civil Engineers • GIS
4150 CONCOURS STREET, SUITE 100, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660

Job Number:	PM 20170
Date:	02-22-2021
Scale:	1"=200'
Sheet	1 of 1 Sheets

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL PARCEL MAP NO. 20170, LOCATED AT THE SOUTHWEST CORNER OF VINEYARD AVENUE AND ELM STREET.

WHEREAS, Tentative Parcel Map No. 20170, submitted for approval by Duke Realty Vineyard & Elm LP, a Delaware Limited Partnership (Ms. Nancy Shultz, Regional Senior Vice President) was approved by the Planning Commission of the City of Ontario on June 30, 2020; and

WHEREAS, Tentative Parcel Map No. 20170 consists of a single numbered lot and 2 lettered lots, being a subdivision of parcel 1 of Parcel Map No. 44, as per Map recorded in Book 77 of Parcel Maps, page 77, and lots 18, 19, 20, 23, and a portion of lots 15, 16, 17, 21, 22, and 24 of Tract No. 3400 as per Map recorded in Book 45 of Maps, pages 14 and 15, as described in Grant Deeds recorded August 13, 2019 in Instruments 2019-0276200 and 2019-0276201 of Official Records, in the County of San Bernardino, State of California; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Parcel Map No. 20170, said developer has offered the improvement agreement together with good and sufficient improvement security, in conformance with the City Attorney's approved format, for approval and execution by the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, as follows:

1. That said Improvement Agreement be, and the same is, approved and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and

2. That said Improvement Security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and

3. That Final Parcel Map No. 20170 be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

_____
BEST, BEST & KREIGER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Human Resources Prepared By: Jeannette F Chavez Staff Member Presenting: Angela C. Lopez, Executive Director Human Resources Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 5

SUBJECT: APPROVAL OF SIDE LETTERS AMENDING THE MEMORANDUM OF UNDERSTANDINGS FOR THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION AND THE ONTARIO FIRE MANAGEMENT GROUP IN ACCORDANCE WITH MODIFICATIONS REQUESTED BY CALPERS.

RECOMMENDATION: That the City Council, by motion, adopt resolutions to approve side letters amending the Memorandum of Understandings (MOU's) in accordance with modifications requested by the California Public Employees Retirement System (CALPERS) to ensure that pension benefits are properly calculated.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: The recommended action has no fiscal impact as the collective bargaining agreements' modifications coincide with the City's current practice of reporting special compensation.

BACKGROUND & ANALYSIS: CalPERS has significantly increased vigilance in conducting reviews of reportable compensation for recent retirees in accordance with the California Public Employees' Retirement Law (PERL). Several City of Ontario retirees were part of a CalPERS review that included an assessment of compensation reported to CALPERS, including language interpretation of labor agreements to ensure the overall pension calculated for each retiree was in accordance with the PERL and underlying regulations.

At the completion of the review, CalPERS instructed the City to make modifications to certain sections in the labor agreements to coincide with the City's practice in reporting special compensation to CalPERS. The modifications requested were to include language to identify the calculation of special compensation for longevity and educational incentive, including the regular rate of pay as defined by the Fair Labor Standards Act ("FLSA"). Additionally, CalPERS instructed the City to accurately reflect the work periods and salary grade tables to be consistent with the average work schedule of 56 hours per week.

To ensure compliance, the City met with each respective bargaining group to discuss the proposed modifications and approve the modifications as reflected in the side letters enclosed with the attached Resolutions. The side letters will help ensure that certain special compensation items addressed in the side letters and reported by the City to CalPERS are included in the calculation of pension benefits for recent retirees as intended.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING SIDE LETTERS AMENDING THE MEMORANDUM OF UNDERSTANDING FOR EMPLOYEES REPRESENTED BY THE ONTARIO PROFESSIONAL FIREFIGHTERS ASSOCIATION.

WHEREAS, CalPERS conducted a review of the reported compensation for several retiring City employees and instructed the City to make certain modifications to the Memorandum of Understanding in order to ensure that reported special compensation items were included in pension benefit calculations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves side letters amending the Memorandum of Understanding between the Ontario Professional Firefighters Association and the City of Ontario, incorporated herein by reference and enclosed at Exhibits “A” through “H” (“Side Letters”), which incorporate the modifications requested by CalPERS; and

SECTION 2. That the City Council hereby authorizes the City Manager to execute said side letters on behalf of the City of Ontario.

SECTION 3. This Resolution shall become effective upon its adoption.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021-_____ was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021-_____ duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT "A"

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Professional Firefighters Association

The City of Ontario (City) and the Ontario Professional Firefighters Association, Local 1430 I.A.F.F. (Association) agree to modify Article 2. Definitions, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Article 2. Definitions

A. **BARGAINING UNIT** - The bargaining unit of the employees defined in Article 1, Section 1.02, Recognition.

B. **CALENDAR YEAR** - The period of 12 consecutive months commencing on January 1st and ending on December 31st.

C. **DAY** - A calendar day unless otherwise stated in this MOU.

D. **EMERGENCY** - A circumstance requiring immediate action; a sudden, unexpected happening; an unforeseen occurrence or condition.

E. **EMPLOYEE** -

1) Regular Employee - An employee in a full-time, regular position who has completed the probationary period.

2) Probationary Employee - An employee in a full-time, regular position who has not completed the probationary period.

F. **WORKING DAY** - A daily work period an employee is regularly scheduled to work each day. For example, an employee on a 4/10 work schedule would have a ten-hour working day.

G. **REGULAR RATE OF PAY** – The regular rate used to calculate the Fair Labor Standards Act ("FLSA") premium pay reported to CalPERS, inclusive of an employee's base hourly rate, eligible items of special compensation that an employee receives at the time FLSA is calculated (Longevity Pay, Educational Incentive, and all compensation items under Section 10.03), and all other items of compensation that are included in the FLSA calculation.

EXHIBIT "A"

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Kevin Fugate, President Ontario Professional Firefighters Association Local 1430 I.A.F.F.	Date

Exhibit "B"

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Professional Firefighters Association

The City of Ontario (City) and the Ontario Professional Firefighters Association, Local 1430 I.A.F.F. (Association) agree to modify Section 9.01 Work Period – Shift Employees, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 9.01 Work Period – Shift Employees

The average work period for shift employees is 56 hours per week for the purpose of calculating compensation (without loss of current compensation).

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Kevin Fugate, President Ontario Professional Firefighters Association Local 1430 I.A.F.F.	Date

EXHIBIT "C"

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Professional Firefighters Association

The City of Ontario (City) and the Ontario Professional Firefighters Association, Local 1430 I.A.F.F. (Association) agree to modify Section 9.04 Shift Employees, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 9.04 Shift Employees

24-hour work shift schedule employees whose work time exceeds an average of 53 hours per week shall be paid at one and one-half times the employee's regular rate of pay for all hours in excess of an average 53-hour workweek, up to the 56 hour per week average. This shall be included in the paycheck for the pay period in which it is earned.

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Kevin Fugate, President Ontario Professional Firefighters Association Local 1430 I.A.F.F.	Date

EXHIBIT "D"

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Professional Firefighters Association

The City of Ontario (City) and the Ontario Professional Firefighters Association, Local 1430 I.A.F.F. (Association) agree to modify Section 9.05 Work Schedules, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 9.05 Work Schedules

24 – Hour Work Shift

A. Unit employees assigned to work the 24 – hour work shift schedule shall begin at 0700 hours and terminate work at 0700 hours the following day. The City shall maintain the current 56-hour shift schedule as it relates to days on/days off.

B. The work period for bargaining unit employees assigned to a daily work schedule shall be a fixed and regularly recurring work period.

C. Time worked is defined as the maximum number of hours worked or deemed to have worked (including all paid leaves of absence) per each 56 hour average work week paid at the regular rate of pay, except as provided in D below.

D. Non – Work Time is defined by the following situations which shall not be considered time worked:

   1. All travel to work and returning home.

   2. All time in voluntary off – duty training, with the following exceptions:

      a) Scheduled assigned training – would provide consideration of time worked for travel time and scheduled class time.

      b) Where an individual voluntarily attends a budgeted Fire Department class, all off – duty time would be considered non – work time; however, any scheduled shifts within that period would be recorded as Leave for Department Business.

   3. Dock time defined as non – work time charged against an employee for unauthorized absence, tardiness, or other absence without pay.

      a) Dock time shall not be chargeable against authorized leave times.

      b) Dock time shall be charged in quarters of an hour.

EXHIBIT "D"

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Kevin Fugate, President Ontario Professional Firefighters Association Local 1430 I.A.F.F.	Date

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Professional Firefighters Association

The City of Ontario (City) and the Ontario Professional Firefighters Association, Local 1430 I.A.F.F. (Association) agree to modify Section 10.03 Skill Compensation, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 10.03 Skill Compensation

A. Paramedic Duty Assignment (Paramedic Pay) - Firefighter, Fire Engineer and Fire Captain positions assigned to paramedic duty or working as paramedic out-of-class ("PMOC") will receive additional compensation which shall be the amount of the difference between Step five of the Fire Engineer classification and the amount representing 12.72% above Step five of the Fire Engineer classification. A minimum staffing of two paramedics will be maintained on all Advanced Life Support (ALS) units.

B. Bomb Squad Assignment (Hazard Premium) - Firefighter, Fire Engineer, Fire Investigator Supervisor and Fire Captain positions assigned to the Bomb Squad Unit will receive additional compensation which shall be the amount of the difference between Step five of the Fire Engineer classification and the amount representing 5.12% above Step five of the Fire Engineer classification. Two team members per shift per each three stations shall be maintained.

C. Hazardous Materials Assignment (Hazard Premium) - Firefighter, Fire Engineer, Fire Investigator Supervisor and Fire Captain positions assigned to the Hazardous Materials Assignment will receive additional compensation which shall be the amount of the difference between Step five of the Fire Engineer classification and the amount representing 5.12% above Step five of the Fire Engineer classification. Two team members per shift per each three stations shall be maintained.

D. Heavy Rescue Team Assignment (Heavy/Special Equipment Operator Premium) - Firefighter, Fire Engineer, Fire Investigator Supervisor and Fire Captain positions assigned to the Heavy Rescue Team Assignment will receive additional compensation which shall be the amount of the difference between Step five of the Fire Engineer classification and the amount representing 5.12% above Step five of the Fire Engineer classification. Two team members per shift per each three stations shall be maintained.

E. Bilingual Pay - Effective no later than July 1, 2018, employees, who speak Spanish or any other language designated by the Fire Chief, shall receive bilingual pay provided they pass an examination administered by the Human Resources Department that tests their oral competency in job-related situations. Bilingual pay shall be $115 per pay period. In the event there are more than 50 employees who receive bilingual pay, the City may require the Association to meet and confer to limit the number of personnel who receive such premium compensation.

F. SWAT Paramedic Assignment (Hazard Pay) - Firefighter, Fire Engineer, Fire Investigator Supervisor and Fire Captain Positions assigned to the SWAT Paramedic Assignment will

receive additional compensation which shall be the amount of the difference between Step five of the Fire Engineer classification and the amount representing 5.12% above Step five of the Fire Engineer classification. A maximum of 3 team members shall be eligible.

G. Investigator Supervisor Education - Investigator Supervisors who complete Basic Public Information Officer (PIO) and Joint Information Center (JIC)/Joint Information System (JIS) training course from the California Specialized Training Institute (CSTI), and possess a State Company Officer Certification will receive 10% above Investigator Supervisors base pay. If the employee does not have the State Company Officer Certification, they must complete the above stated PIO training, all State Company Officer Classes, and the Investigator Supervisor Task Book to receive 10% above base pay.

H. Aircraft Rescue & Firefighting (ARFF) Assignment (Hazard Premium) – Firefighter, Fire Engineer, and Fire Captain positions assigned to the ARFF Assignment/Station will receive additional compensation which shall be the amount of the difference between Step five of additional compensation which shall be the amount of the difference between Step five of the Fire Engineer classification and the amount representing 5.12% above Step five of the Fire Engineer classification. Eight incentive ARFF positions per shift shall be maintained.

I. To be eligible for the skill compensations above, employees must meet the qualifications determined by the Fire Chief.

J. Fire Captain 40-Hour Position Assignment (Fire Staff Premium) – Fire Captains assigned to work a 40-hour staff position shall receive 20.77% of base pay.

K. Fire Investigation Supervisor 40-Hour Position Assignment (Fire Staff Premium) – Fire Investigation Supervisor positions assigned to work a 40-hour staff position shall receive 10% of base pay.

L. For compensation reported to CalPERS, all skill compensation items identified above are calculated on an employee's base pay plus holiday worked compensation as defined in Section 15.02.

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Kevin Fugate, President Ontario Professional Firefighters Association Local 1430 I.A.F.F.	Date

EXHIBIT "F"

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Professional Firefighters Association

The City of Ontario (City) and the Ontario Professional Firefighters Association, Local 1430 I.A.F.F. (Association) agree to modify Section 10.04 Educational Incentive, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 10.04 Educational Incentive

Emergency Medical Technician Pay - Employees who have in their possession or who obtain in the future an EMT-1 Certificate will receive $425 per month in addition to their base pay. Total Emergency Medical Technician Pay reported to CalPERS is calculated using an employee's base pay plus holiday worked compensation as defined in Section 15.02.

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Kevin Fugate, President Ontario Professional Firefighters Association Local 1430 I.A.F.F.	Date

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Professional Firefighters Association

The City of Ontario (City) and the Ontario Professional Firefighters Association, Local 1430 I.A.F.F. (Association) agree to modify Section 10.05 Longevity Pay, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 10.05 Longevity Pay

Employees who begin the designated year of service as the specified classification shall receive the corresponding longevity pay percentage calculated using the employee's base pay plus holiday worked compensation as defined in Section 15.02. Employees will also receive credit for professional full-time fire service with prior agencies. Any leave without pay of 60 calendar days or more will be deducted from years of service for purposes of longevity pay.

The Fire Chief shall verify the professional years of service and successful completion of the Relief Drivers Test. Once verified and granted, no further testing or test results shall affect longevity pay. For employees that receive longevity pay for 10 years of service and promote to a position that does not receive longevity for 10 years of service, the step increase for the promotion shall be calculate included base and longevity.

Firefighters				
Effective Date	With Relief Drivers Test	Without Relief Drivers Test	Years of Service	Longevity Pay Percentage
January 2006		X	20	7.5%
		X	25	15%
	X		10	5%
	X		20	12.5%
	X		25	20%

Fire Engineers, Fire Investigation Supervisors & Fire Captains		
Effective Date	Years of Service	Longevity Pay Percentage
January 2006	20	7.5%
	25	15%

EXHIBIT "G"

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Kevin Fugate, President Ontario Professional Firefighters Association Local 1430 I.A.F.F.	Date

EXHIBIT "H" - SALARY GRADE TABLE*
FFA MOU 2018-2022

		January 7, 2018		January 6, 2019		January 5, 2020		January 3, 2021	
Classification	**Step**	**Hourly Rate**	**Monthly Rate**	**Hourly Rate**	**Monthly Rate**	**Hourly Rate**	**Monthly Rate**	**Hourly Rate**	**Monthly Rate**
Fire Captain (40 hr)	1	$48.67	$8,436.13	$51.11	$8,859.07	$53.67	$9,302.80	$55.82	$9,675.47
	2	$51.11	$8,859.07	$53.67	$9,302.80	$56.36	$9,769.07	$58.62	$10,160.80
	3	$53.66	$9,301.07	$56.35	$9,767.33	$59.17	$10,256.13	$61.54	$10,666.93
	4	$56.35	$9,767.33	$59.17	$10,256.13	$62.13	$10,769.20	$64.62	$11,200.80
	5	$59.16	$10,254.40	$62.12	$10,767.47	$65.23	$11,306.53	$67.84	$11,758.93
Fire Captain (56 hr)	1	$36.73	$8,436.13	$38.57	$8,859.07	$40.50	$9,302.80	$42.12	$9,675.47
	2	$38.58	$8,859.07	$40.51	$9,302.80	$42.54	$9,769.07	$44.25	$10,160.80
	3	$40.50	$9,301.07	$42.53	$9,767.33	$44.66	$10,256.13	$46.45	$10,666.93
	4	$42.53	$9,767.33	$44.66	$10,256.13	$46.90	$10,769.20	$48.78	$11,200.80
	5	$44.65	$10,254.40	$46.89	$10,767.47	$49.24	$11,306.53	$51.21	$11,758.93
Fire Engineer (56 hr)	1	$31.06	$7,133.45	$32.62	$7,491.73	$34.26	$7,868.38	$35.64	$8,185.32
	2	$32.63	$7,494.02	$34.27	$7,870.68	$35.99	$8,265.70	$37.43	$8,596.42
	3	$34.26	$7,868.38	$35.98	$8,263.41	$37.78	$8,676.81	$39.30	$9,025.90
	4	$35.97	$8,261.11	$37.77	$8,674.51	$39.66	$9,108.58	$41.25	$9,473.75
	5	$37.76	$8,672.21	$39.65	$9,106.28	$41.64	$9,563.32	$43.31	$9,946.86
Firefighter (40 hr)	1	$34.55	$5,988.67	$36.28	$6,288.53	$38.10	$6,604.00	$39.63	$6,869.20
	2	$36.27	$6,286.80	$38.09	$6,602.27	$40.00	$6,933.33	$41.60	$7,210.67
	3	$38.09	$6,602.27	$40.00	$6,933.33	$42.00	$7,280.00	$43.68	$7,571.20
	4	$40.00	$6,933.33	$42.00	$7,280.00	$44.10	$7,644.00	$45.87	$7,950.80
	5	$41.99	$7,278.27	$44.09	$7,642.27	$46.30	$8,025.33	$48.16	$8,347.73
Firefighter (56 hr)	1	$26.08	$5,988.67	$27.39	$6,288.53	$28.76	$6,604.00	$29.92	$6,935.07
	2	$27.39	$6,286.80	$28.76	$6,602.27	$30.20	$6,933.33	$31.41	$7,280.00
	3	$28.75	$6,602.27	$30.19	$6,933.33	$31.70	$7,280.00	$32.97	$7,644.00
	4	$30.19	$6,933.33	$31.70	$7,280.00	$33.29	$7,644.00	$34.63	$8,027.07
	5	$31.70	$7,278.27	$33.29	$7,642.27	$34.96	$8,025.33	$36.36	$8,427.47
Fire Investigation Supervisor (40 hr)	1	$48.67	$8,436.13	$51.11	$8,859.07	$53.67	$9,302.80	$55.82	$9,675.47
	2	$51.11	$8,859.07	$53.67	$9,302.80	$56.36	$9,769.07	$58.62	$10,160.80
	3	$53.66	$9,301.07	$56.35	$9,767.33	$59.17	$10,256.13	$61.54	$10,666.93
	4	$56.35	$9,767.33	$59.17	$10,256.13	$62.13	$10,769.20	$64.62	$11,200.80
	5	$59.16	$10,254.40	$62.12	$10,767.47	$65.23	$11,306.53	$67.84	$11,758.93
Fire Investigation Supervisor (56 hr)	1	$36.73	$8,436.13	$38.57	$8,859.07	$40.50	$9,302.80	$42.12	$9,675.47
	2	$38.58	$8,859.07	$40.51	$9,302.80	$42.54	$9,769.07	$44.25	$10,160.80
	3	$40.50	$9,301.07	$42.53	$9,767.33	$44.66	$10,256.13	$46.45	$10,666.93
	4	$42.53	$9,767.33	$44.66	$10,256.13	$46.90	$10,769.20	$48.78	$11,200.80
	5	$44.65	$10,254.40	$46.89	$10,767.47	$49.24	$11,306.53	$51.21	$11,758.93
Fire Prevention Inspector (40 hr)	1	$41.16	$7,134.40	$43.22	$7,491.47	$45.39	$7,867.60	$47.21	$8,183.07
	2	$43.22	$7,491.47	$45.39	$7,867.60	$47.66	$8,261.07	$49.57	$8,592.13
	3	$45.39	$7,867.60	$47.66	$8,261.07	$50.05	$8,675.33	$52.06	$9,023.73
	4	$47.65	$8,259.33	$50.04	$8,673.60	$52.55	$9,108.67	$54.66	$9,474.40
	5	$50.04	$8,673.60	$52.55	$9,108.67	$55.18	$9,564.53	$57.39	$9,947.60

*Salaries are approximate. The City's payroll system calculates compensation.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING SIDE LETTERS AMENDING TO THE MEMORANDUM OF UNDERSTANDING FOR EMPLOYEES REPRESENTED BY THE ONTARIO FIRE MANAGEMENT GROUP.

WHEREAS, CalPERS conducted a review of the reported compensation for several retiring City employees and instructed the City to make certain modifications to the Memorandum of Understanding in order to ensure that reported special compensation items were included in pension benefit calculations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves side letters amending the Memorandum of Understanding between the Ontario Fire Management Group and the City of Ontario, incorporated herein by reference and enclosed at Exhibits “A” through “E” (“Side Letters”), which incorporate the modifications requested by CalPERS.

SECTION 2. That the City Council hereby authorizes the City Manager to execute said side letters on behalf of the City of Ontario.

SECTION 3. This Resolution shall become effective upon its adoption.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021-_____ was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021-_____ duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Fire Management Group

The City of Ontario (City) and the Ontario Fire Management Group agree to modify Article 2. Definitions, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Article 2: Definitions

A. Bargaining Unit - The bargaining unit of the employees defined in Article 1, Section 1.02 - Recognition.

B. Calendar Year - The period of 12 consecutive months commencing on January 1st and ending on December 31st.

C. Day - A calendar day, unless otherwise stated in this MOU.

D. Emergency – A circumstance requiring immediate action; a sudden, unexpected happening; an unforeseen occurrence or condition.

E. Employee – A full- time:

1. Regular Status Employee – An employee in a full-time regular position who has completed the probationary period.
2. Probationary Employee – An employee in a full-time regular position who has not completed his/her probationary period.
3. At-Will Employee – An employee who is appointed in an At-Will status and serves at the will and pleasure of the City Manager.

F. Week – Seven consecutive days beginning on Sunday and going through the following Saturday.

G. Working Day - A daily work period an employee is regularly scheduled to work each day. For example, an employee on a 4/10 work schedule would have a ten-hour working day.

H. Regular Rate of Pay – The regular rate used to calculate the Fair Labor Standards Act ("FLSA") premiums pay reported to CalPERS, inclusive of an employee's base hourly rate, eligible items of special compensation that an employee receives at the time FLSA is calculated (Longevity Pay, Educational Incentive, and all compensation items under Section 10.03), and all other items of compensation that are included in the FLSA calculation.

Approved:

EXHIBIT "A"

Scott Ochoa, City Manager City of Ontario	Date
Michael Gerken, President Ontario Fire Management Group	Date

EXHIBIT "B"

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Fire Management Group

The City of Ontario (City) and the Ontario Fire Management Group agree to modify Section 9.02 24-Hour Shift Personnel, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 9.02 - 24-Hour Shift Personnel

A. The compensation formula used to calculate rate of pay for Battalion Chiefs assigned to a 24-hour work shift schedule shall be that which is used for the majority of Fire Department 24-hour shift safety employees. This shall apply to regular scheduled hours and hours worked in excess of the regular scheduled hours. This provision will apply only to those employees who are assigned and work a 24-hour shift schedule.

B. The average work period for shift employees is 56 hours per week for the purpose of calculating compensation (without loss of current compensation). Unit employees assigned to work the 24-hour work shift schedule shall begin at 0700 hours and terminate work at 0700 hours the following day. The City shall maintain the 56-hour shift schedule as it relates to days on/days off.

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Michael Gerken, President Ontario Fire Management Group	Date

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Fire Management Group

The City of Ontario (City) and the Ontario Fire Management Group agree to modify Section 10.02 Professional Development Incentive, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 10.02 – Professional Development Incentive

A. Educational Incentive – All Group employees may qualify for additional compensation to recognize their professional development under one of the subsections 10.02A(1) or 10.02A(2) below.

1. Group employees who have in their possession or who later obtain a BA/BS Degree (from an accredited college or university) shall receive $425 per month in addition to their base pay; or,

2. Group employees who continue their professional development and successfully complete an acceptable number of courses from the National Fire Academy and/or the California Fire Service Academy, and/or the California Specialized Training Institute shall receive $425 per month in addition to their base pay.

B. Professional Development Incentive - Deputy Fire Chief or Senior Deputy Fire Chief may also qualify for additional compensation to recognize their professional development under subsections 10.02B(1) and/or 10.02B(2) below.

1. A Deputy Fire Chief or Senior Deputy Fire Chief who has obtained the California State Fire Marshal Chief Officer/Chief Fire Officer certification shall receive $250 per month in addition to their base pay.

2. A Deputy Fire Chief or Senior Deputy Fire Chief who has obtained a California State Fire Marshal Executive Chief Fire Officer certification shall receive $250 per month in addition to their base pay.

C. No employee shall be eligible for education incentive compensation in excess of $925 per month. Educational Incentive reported to CalPERS is calculated using an employee's base pay plus holiday worked compensation as defined in Sections 15.02 and Management Incentive Pay as defined in Section 9.03.

EXHIBIT "C"

Approved:

Scott Ochoa, City Manager City of Ontario	Date
Michael Gerken, President Ontario Fire Management Group	Date

EXHIBIT "D"

Side Letter of Agreement
To the Current Memorandum of Understanding
Between the City of Ontario and
Ontario Fire Management Group

The City of Ontario (City) and the Ontario Fire Management Group agree to modify Section 10.03 Longevity Pay, of the applicable Memorandum of Understanding covering the period of January 1, 2018 through June 30, 2022.

Section 10.03 Longevity Pay

A. Employees who begin the designated year of service, as a professional firefighter shall receive the corresponding longevity pay percentage calculated on their base pay plus holiday worked compensation as defined in Section 15.02.

Effective Date	Years of Service	Longevity Pay Percentage
January 2006	20	7.5%
	25	15%

Both parties agree that this benefit is not considered a vested right by current or future employees.

Approved:

Scott Ochoa, City Manager
City of Ontario

Date

Michael Gerken, President
Ontario Fire Management Group

Date

EXHIBIT "E" - SALARY GRADE TABLE*
FMG MOU 2018-2022

Classification	Step	January 7, 2018**		January 7, 2018		January 6, 2019		January 5, 2020		January 3, 2021	
		Hourly Rate	Monthly Rate	Hourly Rate	Monthly Rate	Hourly Rate	Monthly Rate	Hourly Rate	Monthly Rate	Hourly Rate	Monthly Rate
Deputy Fire Chief (40 hr)	1	$73.01	$12,655.07	$76.67	$13,289.47	$ 80.51	$13,955.07	$84.54	$14,653.60	$87.93	$15,241.20
	2	$76.67	$13,289.47	$80.51	$13,955.07	$ 84.54	$14,653.60	$88.77	$15,386.80	$92.33	$16,003.87
	3	$80.50	$13,953.33	$84.53	$14,651.87	$ 88.76	$15,385.07	$93.20	$16,154.67	$96.93	$16,801.20
	4	$84.52	$14,650.13	$88.75	$15,383.33	$ 93.19	$16,152.93	$97.85	$16,960.67	$101.77	$17,640.13
	5	$88.75	$15,383.33	$93.19	$16,152.93	$ 97.85	$16,960.67	$102.75	$17,810.00	$106.86	$18,522.40
Deputy Fire Chief (56 hr)	1	$55.10	$12,655.07	$57.86	$13,289.47	$ 60.76	$13,955.07	$63.80	$14,653.60	$66.36	$15,241.20
	2	$57.86	$13,289.47	$60.76	$13,955.07	$ 63.80	$14,653.60	$66.99	$15,386.80	$69.67	$16,003.87
	3	$60.76	$13,953.33	$63.80	$14,651.87	$ 66.99	$15,385.07	$70.34	$16,154.67	$73.16	$16,801.20
	4	$63.78	$14,650.13	$66.97	$15,383.33	$ 70.32	$16,152.93	$73.84	$16,960.67	$76.80	$17,640.13
	5	$66.98	$15,383.33	$70.33	$16,152.93	$ 73.85	$16,960.67	$77.55	$17,810.00	$80.66	$18,522.40
Fire Battalion Chief (40 hr)	1			$63.09	$10,935.60	$ 66.25	$11,483.33	$69.57	$12,058.80	$72.36	$12,542.40
	2			$66.24	$11,481.60	$ 69.56	$12,057.07	$73.04	$12,660.27	$75.97	$13,168.13
	3			$69.55	$12,055.33	$ 73.03	$12,658.53	$76.69	$13,292.93	$79.76	$13,825.07
	4			$73.02	$12,656.80	$ 76.68	$13,291.20	$80.52	$13,956.80	$83.75	$14,516.67
	5			$76.67	$13,289.47	$ 80.51	$13,955.07	$84.54	$14,653.60	$87.93	$15,241.20
Fire Battalion Chief (56 hr)	1			$47.61	$10,934.56	$ 50.00	$11,481.60	$52.50	$12,057.07	$54.60	$12,540.67
	2			$50.00	$11,480.56	$ 52.50	$12,055.33	$55.13	$12,658.53	$57.34	$13,166.40
	3			$52.49	$12,053.86	$ 55.12	$12,656.80	$57.88	$13,291.20	$60.20	$13,823.33
	4			$55.11	$12,656.28	$ 57.87	$13,289.47	$60.77	$13,955.07	$63.21	$14,514.93
	5			$57.87	$13,287.82	$ 60.77	$13,953.33	$63.81	$14,651.87	$66.37	$15,239.47
Senior Deputy Fire Chief (40 hr)	1	$76.74	$13,301.60	$80.58	$13,967.20	$ 84.61	$14,665.73	$88.85	$15,400.67	$92.41	$16,017.73
	2	$80.58	$13,967.20	$84.61	$14,665.73	$ 88.85	$15,400.67	$93.30	$16,172.00	$97.04	$16,820.27
	3	$84.61	$14,665.73	$88.85	$15,400.67	$ 93.30	$16,172.00	$97.97	$16,981.47	$101.89	$17,660.93
	4	$88.84	$15,398.93	$93.29	$16,170.27	$ 97.96	$16,979.73	$102.86	$17,829.07	$106.98	$18,543.20
	5	$93.28	$16,168.53	$97.95	$16,978.00	$ 102.85	$17,827.33	$108.00	$18,720.00	$112.32	$19,468.80

*Salaries are approximate. The City's payroll system calcuates compensation.

** Salary adjustment applicable to Deputy Fire Chief classification.

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Planning Prepared By: Diane Ayala Department: Planning Prepared By: Gwen Berendsen Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 6

SUBJECT: **AN ORDINANCE TO AMEND THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT ("DCCPUD") AMENDING CERTAIN PROVISIONS TO: [1] BRING THE DCCPUD INTO CONSISTENCY WITH THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN AND CITY'S DEVELOPMENT CODE; [2] AMEND CERTAIN LAND USE AND DEVELOPMENT STANDARDS APPLICABLE TO BLOCKS A1 AND C1, INCLUDING BUT NOT LIMITED TO ALLOWING FOR GROUND FLOOR RESIDENTIAL LAND USES, AT GRADE STAND-ALONE PARKING STRUCTURES, AND AN INCREASE IN THE MAXIMUM HEIGHT OF BUILDING ELEMENT PROJECTIONS (FROM 60 FEET TO 65 FEET), REVISION TO ALLOW VEHICULAR ACCESS POINTS, AND MODIFY MINIMUM PARKING STALL AND DRIVE AISLE STANDARDS; AND [3] MAKE VARIOUS REVISIONS NECESSARY FOR INTERNAL CONSISTENCY OF THE DCCPUD**

RECOMMENDATION: That the City Council consider and adopt an ordinance approving File No. PUD20-002, amending the Downtown Civic Center Planned Unit Development.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: No fiscal impacts are anticipated with the adoption of the Amendment to the Downtown Civic Center Planned Unit Development. The Amendment proposes updates for The Ontario Plan ("TOP") and Development Code consistency. Any potential long-term fiscal impact and anticipated expenditures to the City would be offset by development impact fees and property tax revenues from the future development.

BACKGROUND & ANALYSIS: On March 16, 2021, the City Council introduced and waived further reading of an ordinance approving the amendment to the Downtown Civic Center Planned Unit Development. In June 2006, the City Council adopted Ordinance No. 2829 approving the Downtown Civic Center Planned Unit Development ("DCCPUD") which governs land use and development within a 6-block area immediately adjacent to the Civic Center complex, including the blocks located on the east side of Euclid Avenue, between D Street and Holt Boulevard, and on the north side of Holt

Boulevard, between Euclid and Sultana Avenues. Along with the adoption of the DCCPUD in 2006, the Planning Commission approved a Development Plan (File No. PDEV06-009) for the development of the C1, A2, A3 and A4 blocks. The A2, A3 and A4 blocks have since been developed by the JH Snyder Company and have been occupied since 2009. The C1 block, however, was not constructed due to the economic downturn of 2008 through 2012. In June 2011, the City Council adopted Ordinance No. 2937, approving an amendment to the DCCPUD to increase the maximum density range for residential development within the Commercial/Residential Mixed-Use District of the C1 block, from 45-50 dwelling units per acre, to 45-65 dwelling units per acre, and provided an allowance of "for sale" and "for rent" housing within the A1 and C1 blocks.

In 2012, the B1 Block was developed by the City of Ontario with a 1.7-acre park, known as the Ontario Town Square. Additionally, the historic landmark Bank of Italy and Bumstead Building is currently being rehabilitated and adaptively reused for up to 3 restaurants.

In December 2020, the City initiated an amendment to the DCCPUD to facilitate the construction of a 4-level parking structure within the C1 block, located at the northwest corner of C Street and Lemon Avenue. The parking structure will provide 411 parking spaces, with 270 of those spaces allocated for a 4-story mixed-use project consisting of approximately 6,000 square feet of commercial space and 145 dwelling units, which is currently undergoing City review. The remaining 141 parking spaces will be available for civic center use.

DCCPUD AMENDMENT: The proposed amendment, which generally affects the A1 and C1 blocks, will allow for ground floor residential land uses, at grade stand-alone parking structures, and an increase in height of building element projections, such as elevators and towers, from 60 feet to 65 feet. Residential units will continue to be located primarily on the second floor and above with commercial units located on the ground floor, along the Euclid Avenue frontage. As proposed, ground floor residential units may be located behind commercial units that front Euclid Avenue. Compact parking stalls will be eliminated for compliance with the Development Code and a reduction in drive aisle width from 26 feet to 24 feet may be allowed on a case-by-case basis. The amendment also proposes on the C1 block to eliminate the vehicular access currently allowed on D Street and to create a new vehicular access on Lemon Avenue.

Other minor revisions proposed are intended to clarify or update standards which reflect applicable Development Code standards and overall industry best practices. The land uses in Table 2.1, Permitted Land Uses in Blocks A1 and C1, have been modified for consistency with the Downtown Mixed-Use District's LUA-1 (Euclid Avenue Entertainment District) zoning district. Street trees listed in Table 4.1, Downtown Civic Center Master Plant Material List, were replaced with a new planting palette to meet requirements of the Development Code and the California Department of Water Resources Model Water-Efficient Landscape Ordinance (MWELO). The proposed amendment meets the goals and objectives as established in the DCCPUD.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project area includes properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project does not eliminate or reduce the number of dwelling units and density specified in the Available Land Inventory.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State and requires that local land use

plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were reviewed in conjunction with an amendment to the Ontario Downtown Civic Center PUD, File No. PUD08-001, for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (State Clearinghouse No. 200405115, certified on November 16, 2004), was adopted by the City Council on June 21, 2011. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures, as identified in DCCPUD Appendix B, Mitigation Monitoring Program, are a condition of project approval and are incorporated herein by this reference.

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

February 23, 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NO: PUD20-002

SUBJECT: An Amendment to the Downtown Civic Center Planned Unit Development ("DCCPUD"), amending certain provisions to: [1] bring the DCCPUD into consistency with the Policy Plan (General Plan) component of The Ontario Plan and the City's Development Code; [2] amend certain land use and development standards applicable to blocks A1 and C1, including but not limited to allowing for ground floor residential land uses, at grade stand-alone parking structures, and an increase in the maximum height of building element projections (from 60 feet to 65 feet), revision to allow vehicular access points, and modify minimum parking stall and drive aisle standards; and [3] make various revisions necessary to the internal consistency of the DCCPUD. **City Initiated. City Council action required.**

PROPERTY OWNER: City of Ontario

RECOMMENDED ACTION: That the Planning Commission consider and recommend approval of File No. PUD20-002 to the City Council, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of a 6-block L-shaped area located within the Downtown Mixed Use District, including 3 blocks along Holt Boulevard, between Lemon Avenue and Sultana Avenue, and 3 blocks along Euclid Avenue, between Holt Boulevard and D Street, within the MU-1 (Downtown Mixed Use) zoning district, and is depicted in Figure 1: Project Location. Existing land uses include commercial to the west, across Euclid Avenue, commercial, civic, and residential land uses to the east, retail to the north, and retail and office to the south, across Holt Boulevard. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table

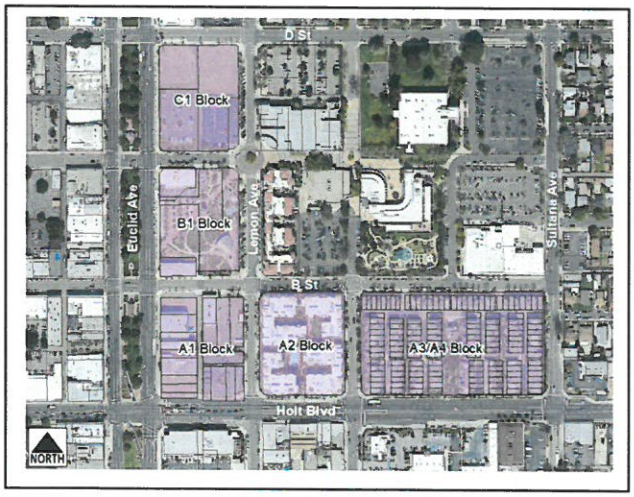


Figure 1: Project Location

Case Planner:	Diane Ayala
Planning Director Approval:	
Submittal Date:	December 17, 2020

Hearing Body	*Date*	*Decision*	*Action*
PC	01/23/2021	Approval	Recommend
CC-1st read'g	03/16/2021		Introduce
CC-2nd read'g	04/06/2021		Final

located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — In June 2006, the City Council adopted Ordinance No. 2829 approving the Downtown Civic Center Planned Unit Development ("DCCPUD") which governs land use and development within the above-described 6-block area immediately adjacent to the Civic Center complex. The land uses designated for each block are as follows:

- A1 and C1 Blocks (Commercial/Residential Mixed-Use) — The A1 and C1 blocks are designated for vertically-mixed commercial and residential uses (apartments or condominiums) in a mid-rise configuration, with commercial uses on the ground floor and residential units on 3 upper floors. At-grade parking is to be provided for the commercial uses and one level of subterranean parking is to be provided for the residential units. A total of 36,000 square feet of commercial floor area is permitted for each block and residential units may be developed at a density of 45 to 50 dwelling units per acre, not to exceed 100 to 110 dwellings per block. The maximum floor area ratio is 2.7 for all uses.

- A2 Block (Apartments) — The A2 block is designated for multiple-family dwellings at a density range of up to 65 dwelling units per acre, not to exceed 160 housing units, constructed in a stacked-flat configuration over subterranean parking facilities.

- A3 and A4 Blocks (Townhomes) — The A3 and A4 blocks are designated for attached multiple-family townhouse dwellings with tuck-under parking, constructed within a density range of 25 to 35 dwelling units per acre, not to exceed 140 housing units.

- B1 Block (Civic Plaza) — The B1 block is designated for development with a public plaza to provide passive recreation opportunities for the downtown area. Commercial uses are also allowed in this block, not to exceed 10,000 square feet in total area and 2-stories in height. The commercial uses would be housed within the historically significant Bank of Italy building, located at the southwest corner of the block, and a new building that may be constructed at the northwest corner of the block.

Along with the adoption of the DCCPUD in 2006, the Planning Commission approved a Development Plan (File No. PDEV06-009) for the development of the C1, A2, A3 and A4 blocks. The A2, A3 and A4 blocks have since been fully developed by the JH Snyder Company and have been fully occupied since 2009. The C1 block, however, was not constructed due to the economic downturn of 2008 through 2012.

In June 2012, the Planning Commission, acting as the Historic Preservation Commission, approved a Certificate of Appropriateness (File No. PHP12-005) to facilitate the development of the B1 Block with a 1.7-acre park. The Ontario Town Square has been fully developed by the City of Ontario and the Bank of Italy is currently being rehabilitated and adaptively reused for up to 3 restaurants.

In June 2011, the City Council adopted Ordinance No. 2937, approving an amendment to the DCCPUD to increase the maximum density range for residential development within the Commercial/Residential Mixed-Use District of the C1 block, from 45-50 dwelling units per acre to 45-65 dwelling units per acre, and provided an allowance of "for sale" and "for rent" housing within the A1 and C1 blocks.

In December 2020, the City initiated an amendment the DCCPUD to facilitate the construction of a 4-level parking structure within the C1 block, located at the northwest corner of C Street and Lemon Avenue (see Figure 2 below). The parking structure will provide 411 parking spaces, with 270 of those spaces allocated for a 4-story mixed-use project consisting of approximately 6,000 square feet of commercial space and 145 dwelling units, which is currently undergoing City review. The remaining 141 parking spaces will be available for civic center use.



Figure 2: Parking Structure Perspective
(Viewed from C Street/Lemon Avenue Intersection)

(2) DCCPUD Amendment — The proposed amendment, which generally affects the A1 and C1 blocks, will allow for ground floor residential land uses, at grade stand-alone parking structures, and an increase in height of building element projections, such as elevators and towers, from 60 feet to 65 feet. Residential units will continue to be located

primarily on the second floor or higher levels with commercial units located on the ground floor, along the Euclid Avenue frontage. As proposed, ground floor residential units may be located behind commercial units that front Euclid Avenue. Compact parking stalls will be eliminated for compliance with the Development Code and a reduction in drive aisle width from 26 feet to 24 feet may be allowed on a case-by-case basis. The amendment also proposes on the C1 block, to eliminate the vehicular access currently allowed on D Street and to create a new vehicular access on Lemon Avenue.

Other minor revisions proposed are intended to clarify or update standards which reflect applicable Development Code standards and overall industry best practices. The land uses in Table 2.1, Permitted Land Uses in Blocks A1 and C1, have been modified for consistency with the Downtown Mixed Use District's LUA-1 (Euclid Avenue Entertainment District) zoning district. Street trees listed in Table 4.1, Downtown Civic Center Master Plant Material List, were replaced with a new planting palette to meet requirements of the Development Code and the California Department of Water Resources Model Water-Efficient Landscape Ordinance (MWELO). The proposed amendment meets the goals and objectives as established in the DCCPUD.

All proposed modifications to the DCCPUD are identified by red text in Attachment A of the resolution included with this staff report.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan ("TOP"). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

Distinctive Development:

- Commercial and Residential Development

➢ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

(3) Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.

  - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

  - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

  - CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

  - CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

Community Design Element:

- Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

  - CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

  - CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

  - CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

- CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

  - Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

- CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

- Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

- CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

- CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

  - CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

  - CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project area includes properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project does not eliminate or reduce the number of dwelling units and density specified in the Available Land Inventory.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were reviewed in conjunction with an amendment to the Ontario Downtown Civic Center PUD, File No. PUD08-001, for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (State Clearinghouse No. 200405115, certified on November 16, 2004), was adopted by the City Council on June 21, 2011. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures, as identified in DCCPUD Appendix B, Mitigation Monitoring Program, are a condition of project approval and are incorporated herein by this reference.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*
Site	Mixed Use	Mixed Use Downtown	DCCPUD
North	North of D Street-Commercial, Retail and Office; and North of B Street- Civic Center	North of D Street- Mixed Use-Downtown; and North of B Street-Public Facilities	North of D Street- MU-1 Mixed Use Downtown; and North of B Street- Civic
South	Commercial	Mixed Use Downtown	MU-1 Mixed Use Downtown
East	East of Sultana Avenue-Commercial and Single-family dwellings; and East of Lemon Avenue- Senior Apartments and Civic Center	East of Sultana Avenue- General Commercial and Residential Low Density East of Lemon Avenue-Residential High Density and Public Facility	MU-1 Mixed Use Downtown
West	Euclid Avenue Median and Commercial	Mixed Use Downtown	MU-1 Mixed Use Downtown

RESOLUTION NO. PC21-003

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PUD20-002, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT ("DCCPUD"), AMENDING CERTAIN PROVISIONS TO: [1] BRING THE DCCPUD INTO CONSISTENCY WITH THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN AND THE CITY'S DEVELOPMENT CODE; [2] AMEND CERTAIN LAND USE AND DEVELOPMENT STANDARDS APPLICABLE TO BLOCKS A1 AND C1, INCLUDING BUT NOT LIMITED TO ALLOWING FOR GROUND FLOOR RESIDENTIAL LAND USES, AT GRADE STAND-ALONE PARKING STRUCTURES, AND AN INCREASE IN THE MAXIMUM HEIGHT OF BUILDING ELEMENT PROJECTIONS (FROM 60 FEET TO 65 FEET), REVISION TO ALLOWED VEHICULAR ACCESS POINTS, MODIFY MINIMUM PARKING STALL AND DRIVE AISLE STANDARDS; AND [3] MAKE VARIOUS REVISIONS NECESSARY TO THE INTERNAL CONSISTENCY OF THE DCCPUD, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 1048-547-29, 1048-547-36, 1048-553-15, 1048-551-13, 1048-552-13, 1048-553-13, 1048-547-33, 1048-547-34, 1048-553-02, 1048-553-04, 1048-547-30, 1048-552-21, 1048-547-32, 1048-551-11, 1048-547-94, 1048-553-11, 1048-547-31, 1048-553-06, 1048-551-10, 1048-547-39, 1048-547-43, 1048-553-09, 1048-553-10, 1048-547-42, 1048-551-12, 1048-553-16, 1048-553-05, 1048-553-14, 1048-552-17, 1048-552-17, 1048-553-17, 1048-547-40, 1048-553-08, 1048-554-11, 1048-553-12, 1048-547-44, 1048-547-37, 1048-553-07, 1048-547-35, 1048-553-01, 1048-553-03, 1048-547-87, 1048-548-30, 1048-547-81, 1048-547-88, 1048-547-69, 1048-547-76, 1048-548-40, 1048-547-47, 1048-547-89, 1048-547-64, 1048-547-85, 1048-547-51, 1048-547-77, 1048-547-38, 1048-547-70, 1048-547-45, 1048-548-12, 1048-547-71, 1048-547-73, 1048-547-56, 1048-547-92, 1048-547-83, 1048-548-02, 1048-547-49, 1048-547-46, 1048-547-48, 1048-547-91, 1048-548-24, 1048-547-41, 1048-548-47, 1048-547-90, 1048-548-54, 1048-548-15, 1048-547-72, 1048-547-82, 1048-547-50, 1048-547-68, 1048-547-84, 1048-547-86, 1048-547-52, 1048-548-48, 1048-547-80, 1048-547-78, 1048-548-32, 1048-547-55, 1048-547-66, 1048-548-21, 1048-548-23, 1048-547-62, 1048-548-06, 1048-547-63, 1048-547-79, 1048-547-61, 1048-547-59, 1048-548-25, 1048-548-31, 1048-548-20, 1048-548-05, 1048-548-46, 1048-548-03, 1048-548-41, 1048-548-42, 1048-548-27, 1048-547-60, 1048-548-34, 1048-548-43, 1048-548-26, 1048-548-01, 1048-547-67, 1048-548-29, 1048-547-65, 1048-548-04, 1048-548-22, 1048-547-54, 1048-548-07, 1048-548-44, 1048-547-75, 1048-547-57, 1048-547-58, 1048-548-45, 1048-547-27, 1048-547-21, 1048-547-23, 1048-547-15, 1048-552-15, 1048-548-08, 1048-548-11, 1048-548-49, 1048-547-16, 1048-548-52, 1048-548-18, 1048-548-13, 1048-548-09, 1048-548-53, 1048-548-28, 1048-547-22, 1048-547-12, 1048-548-39, 1048-552-22, 1048-552-22, 1048-548-36, 1048-548-19, 1048-547-18, 1048-548-33, 1048-548-35, 1048-552-18, 1048-548-16, 1048-547-13, 1048-547-20, 1048-548-38, 1048-547-24, 1048-548-10, 1048-548-50, 1048-548-51, 1048-548-17, 1048-547-25, 1048-547-26, 1048-547-14, 1048-548-37, 1048-552-14, 1048-552-14, 1048-548-14, 1048-547-19, 1048-547-11, 1048-547-17, 1048-547-09, 1048-547-10, 1048-547-04, 1048-547-08, 1048-547-07, 1048-547-05, 1048-547-06.

WHEREAS, City of Ontario ("Applicant") has initiated a request for the approval of an amendment to the Downtown Civic Center Planned Unit Development, File No. PUD20-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in June 2006, the City Council adopted Ordinance No. 2829 approving the Downtown Civic Center Planned Unit Development ("DCCPUD"), which governs land use and development within a 6-block area within the heart of the City's original downtown, including 3 blocks along Holt Boulevard, between Lemon Avenue and Sultana Avenue, and 3 blocks along Euclid Avenue, between Holt Boulevard and D Street; and

WHEREAS, in July 2011, the City Council adopted Ordinance No. 2937 approving an amendment to the DCCPUD, which increased the maximum residential dwelling units per acre from 45-50 dwelling units per acre to 45-65 dwelling units per acre and clarifying that "for rent" and "for sale" housing is allowed within the Commercial/Residential Mixed-Use District; and

WHEREAS, the properties to the north are located within the MU-1 (Mixed Use Downtown) and Civic zoning districts. Properties to the south, east, and west are located within the MU-1 (Mixed Use Downtown) zoning districts; and

WHEREAS, the surrounding land uses include commercial to the west, across Euclid Avenue, commercial, civic, and residential land uses to the east, retail to the north, and retail and office to the south, across Holt Boulevard; and

WHEREAS, the DCCPUD Amendment primarily applies to the Commercial/Residential Mixed-Use District, affecting A1 block, generally located at the northeast corner of Euclid Avenue and Holt Boulevard, and C1, generally located at the southeast corner of Euclid Avenue and D Street; and

WHEREAS, the DCCPUD Amendment will allow for ground floor residential land uses, at grade stand-alone parking structures, and an increase in height of building element projections, such as elevators and towers, from 60 feet to 65 feet. Compact parking stalls will be eliminated for compliance with the Development Code and a reduction in drive aisle width from 26 feet to 24 feet may be allowed on a case-by-case basis. The amendment also proposes on the C1 block to relocate the vehicular access on D Street to Lemon Avenue. Other minor revisions proposed are intended to clarify or update standards which reflect applicable Development Code standards and overall industry best practices; and

WHEREAS, the Project is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to

as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PUD08-001, an amendment to the DCCPUD for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (SCH # 200405115, certified on November 16, 2004), was adopted by the City Council on June 21, 2011. This Project introduces no new significant environmental impacts; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as “ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on February 23, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified Ontario Downtown Civic Center Environmental Impact Report and supporting documentation. Based upon the facts and information contained in the previous Certified Ontario Downtown Civic Center Environmental Impact Report and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PUD08-00, a Planned Unit Development for which the Ontario Downtown Civic Center Environmental Impact Report was adopted by the City Council on November 16, 2004; and

(2) The previous Certified Ontario Downtown Civic Center Environmental Impact Report contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified Ontario Downtown Civic Center Environmental Impact Report was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified Ontario Downtown Civic Center Environmental Impact Report reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified Ontario Downtown Civic Center Environmental Impact Report, and all mitigation measures previously adopted with the Certified Ontario Downtown Civic Center Environmental Impact Report, are incorporated herein by this reference.

SECTION 3: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the Project does not eliminate or reduce the number of dwelling units and density specified in the Available Land Inventory.

SECTION 4: ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed PUD, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The Project is consistent with Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. Section 1.1, The Ontario Plan Objectives of the DCCPUD, describes the manner in which the PUD complies with the Policy Plan goals and policies.

(2) ***The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The Ontario Plan and Downtown Civic Center Environmental Impact Report include safeguards and impose certain mitigation measures to ensure that development within the DCCPUD boundary area would not be detrimental to public interest, health, safety, or general welfare of the City.

(3) ***In the case of an application affecting specific property(ies), the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The DCCPUD area is situated in

the heart of Ontario's downtown and is adjacent to residential and commercial land uses and development. The surrounding development supports the objective of the DCCPUD further commercial and residential mixed-use development. The Project does not affect the harmonious relationship with adjacent properties and land use.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The Project does not propose any changes to the project boundary limits, parcel size, shape, or the availability of utilities that would impact future development.

(5) ***The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.*** The Project to the DCCPUD does not propose changes any major deviation from the development standards

SECTION 6: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Amendment to the Downtown Civic Center Planned Unit Development, File No. PDU20-002, as depicted in Attachment A of this resolution and incorporated herein by this reference.

SECTION 8: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of February 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC21-003, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on February 23, 2021, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Lampkin, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PUD20-002, Downtown Civic Center Planned Unit Development- Draft Amendment

DOWNTOWN

CIVIC CENTER

PLANNED UNIT DEVELOPMENT



Adopted: May 16, 2006 (File No. PUD06-001)
Revised: June 21, 2011 (File No. PUD08-001)
Revised Draft March 2021 (File No. PUD20-002

City of Ontario Planning Department
303 East B Street
Ontario, California 91764
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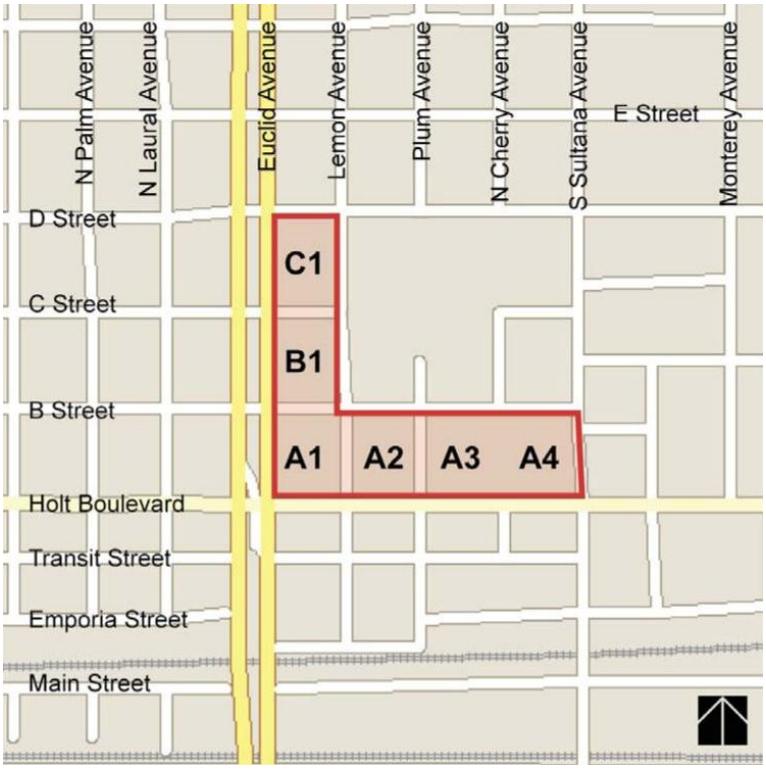
1.0 INTRODUCTION

The ~~Town~~ Downtown Civic Center Planned Unit Development (PUD) is intended to function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development of a 6-block area of the City of Ontario, which consists of a portion of the City's original downtown and its current civic center area (see Exhibit 1-1, Project Location Map). This PUD will facilitate the development of a mixture of high-density attached housing units, restaurants, retail shops, commercial services, and a public commons area that will help achieve the City's goals to economically revitalize and aesthetically enhance the project area.

This document is organized to fulfill the requirements for a PUD, as set forth in the Ontario Development Code. As such, this PUD will replace the existing zone district designations and zoning standards that apply to the affected properties. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply.

City staff and private developers will rely upon this PUD to determine whether precise plans for development ("Development Plans") will adequately meet the City's land use and design objectives for this key part of Ontario's original downtown. The objectives have been defined over the last 20+ years in the Redevelopment Plan for the Center City Redevelopment Project (1983), Ontario General Plan (1992), ~~and the~~ Downtown Civic Center Project EIR (2004), and The Ontario Plan (2010) and are summarized below.

Exhibit 1-1: Project Location Map



1.1 GENERAL PLAN OBJECTIVES

~~The Ontario General Plan designates the project area as part of a "Town Center Study Area," with references to land use goals and policies for Downtown Ontario and East Holt Boulevard defined in the Community Development Element~~ The Ontario Plan (TOP) defines the project area as a Policy Growth Area named the "Historic Downtown and Civic Center." This area is the historic heart of Ontario and is a unique blend of historic, social and cultural uses set in a compact street grid. It includes our Civic Center, Library, diverse residential neighborhoods, and retail opportunities along Euclid Avenue, Holt Boulevard and B Street. The Downtown Civic Center PUD is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The goals and policies furthered by the PUD and ~~to~~ objectives set forth in the Center City Redevelopment Plan, both summarized below.

1.1.1 The Ontario Plan Goals & Policies

Land Use

Goal—LU1 A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

Policy—LU1-1 *Strategic Growth.* We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

Community Design

Goal—CD1 A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

Policy—CD1-1 *City Identity.* We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

Policy—CD1-2 *Growth Areas.* We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

Goal—CD2 A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

Policy—CD2-1 *Quality Architecture.* We encourage all development projects to convey visual interest and character through:

- building volume, massing, and height to provide appropriate scale and proportion;
- a true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and

- exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

Policy—CD2-5 *Streetscapes*. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

Policy—CD2-8 *Safe Design*. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

Goal—CD3 Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

Policy—CD3-1 *Design*. We require that pedestrian, vehicular, bicycle and equestrian circulation (where appropriate) on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

Goal—CD4 Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.

Policy—CD4-2 *Collaboration with Property Owners and Developers.* We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.

Housing

Goal—H2 Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

Policy—H2-1 *Corridor Housing*. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.

Policy—H2-2 *Historic Downtown*. We foster a vibrant historic downtown through facilitating a wide range of housing types and affordability levels for households of all ages, housing preferences, and income levels.

Policy—H2-5 *Housing Design.* We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Policy—H2-6 *Infill Development.* We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.

Goal—H4 Increased opportunities for low and moderate-income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.

Policy—H4-4 *Mixed-income Housing.* We encourage the integration of affordable housing in the New Model Colony, Ontario Airport Metro Center Area, and existing neighborhoods.

Community Economics

Goal—CE1 A complete community that provides for all incomes and stages of life

Policy—CE1-6 *Diversity of Housing.* We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

Policy—CE1-7 *Retail Goods and Services.* We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.

~~**1.1.1 COMMUNITY DEVELOPMENT ELEMENT GOALS & POLICIES**~~

~~▪ DT-1: Establish and maintain an efficient and harmonious use of land within the downtown area accommodating retail, personal and business services, office, residential, entertainment, light industrial, governmental, and cultural activities.~~

~~▪ DT-4: Improve, preserve, and maintain the cohesiveness and image of the downtown through careful design and coordination of new development and through the rehabilitation and redevelopment of older areas.~~

~~▪ DT-5: Achieve utilization of land supply that maintains a solid tax base while respecting the area's cultural and historic resources.~~

~~▪ DT-6: Promote and maintain a high standard of design for public and private uses and facilities.~~

~~▪ DT-7: Create an attractive downtown that will serve as a focus and lively center of community life.~~

~~▪ DT-8: Improve the economic vitality of the downtown to better serve all segments of the community.~~

~~▪ Policy DT-16: Provide for attractive, medium and high-density housing in the downtown that will enhance the specialty, entertainment, and cultural activities in the downtown.~~

1.1.2 CENTER CITY REDEVELOPMENT PLAN OBJECTIVES

- Encourage development of a high intensity, multi-use central business district and surrounding neighborhoods that maximize the economic productivity of the commercial areas and maximize the housing opportunities of the residential areas.
- Apply innovative mixed-use urban design that maintains a flexible approach to allow for changing opportunities over a long-term, phased revitalization effort.
- Create a healthy and exciting urban environment, with the ability to work, live, shop and play within a small area, combine daytime and nighttime use and conserve energy and resources through mixed-use development
- Cluster activity centers within walking distance of each other, supported by a pedestrian network that provides an enjoyable pedestrian flow

1.2 DOWNTOWN CIVIC CENTER PROJECT OBJECTIVES

- Revitalize the downtown area and enhance its economic growth by creating a mixed-use neighborhood with a mixture of housing, retail, academic and office uses within a historic downtown setting
- Develop high quality, mixed-use housing, consisting of market rate and affordable multiple- family, senior housing, offices, academic classrooms and retail
- Establish appropriate relationships among new residential neighborhoods as well as with existing adjacent land use
- Provide for a circulation network which promotes pedestrian walkways and bicycle activity as alternative modes of travel while also providing for safe and efficient movement of automobile travel through the project site
- Ensure that development addresses the Ontario General Plan and Redevelopment Plan for the Center City Redevelopment Project policies and objectives

2.0 LAND USE PLAN

Four land use districts are established for the project limits, as shown in Exhibit 2-1, Land Use Plan, and as described below. Placement of buildings, structures, fences, walls, utility facilities, perimeter yards, etc. will be based on the street rights-of-way and property line dimensions shown in Exhibits 2-2 through 2-6.

2.1 COMMERCIAL/RESIDENTIAL MIXED USE (BLOCKS A1 AND C1)

Blocks A1 and C1 will be developed with vertically mixed commercial and residential uses, in a mid-rise configuration, with commercial uses on the ground floor level, and attached, single level housing units on 3 upper levels. Structured parking will serve commercial and residential uses, with a subterranean parking level or upper levels of a parking structure facility for residents and ground-level parking for the commercial uses. Ground-level spaces along Euclid and Holt Avenues will provide opportunities for specialty shopping, eating/drinking, and limited personal and business services that cater to local residents and local employers/employees, which will draw from pedestrian traffic along Euclid Avenue and the adjacent streets in the Civic Center area. A satellite police station may also be located in a ground-level space within either block area. Because of the vertical integration of housing over commercial, and the potential for conflicts involving noise and intrusion on the residential environment, entertainment venues such as standalone bars and nightclubs will not be permitted. Refer to Chapter 5, Zoning and Land Use, of the Ontario Development Code, for additional land use restrictions and protection corridors.

The residential units will be designed to accommodate a variety of households that prefer a low- maintenance, urban lifestyle, within a pedestrian-friendly environment, and conveniently located shopping, dining, and personal services. As transit linkages improve in the downtown area, these units may attract residents that are reliant upon the regional transit system to commute to jobs outside of the Ontario/Western San Bernardino County area.

2.1.1 PERMITTED USES

- Refer to Table 2-1 for a list of the uses permitted by right, by Conditional Use Permit, and as ancillary to an on-site permitted use.
- Home occupations within residential units, in accordance with the Ontario Development Code
- Small household pets, with a maximum combination of 2 cats, dogs, or other small domesticated animals as may be allowed by the Ontario Development Code
- Structured parking

Table 2.1: Permitted Land Uses in Blocks A1 and C1

Legend:

"P": Means the use is permitted by right of being in the correct land use district.

"C": Means the use is allowed in the land use district, subject to the filing and approval of a Conditional Use Permit in accordance with the Ontario Development Code, prior to the establishment of the land use.

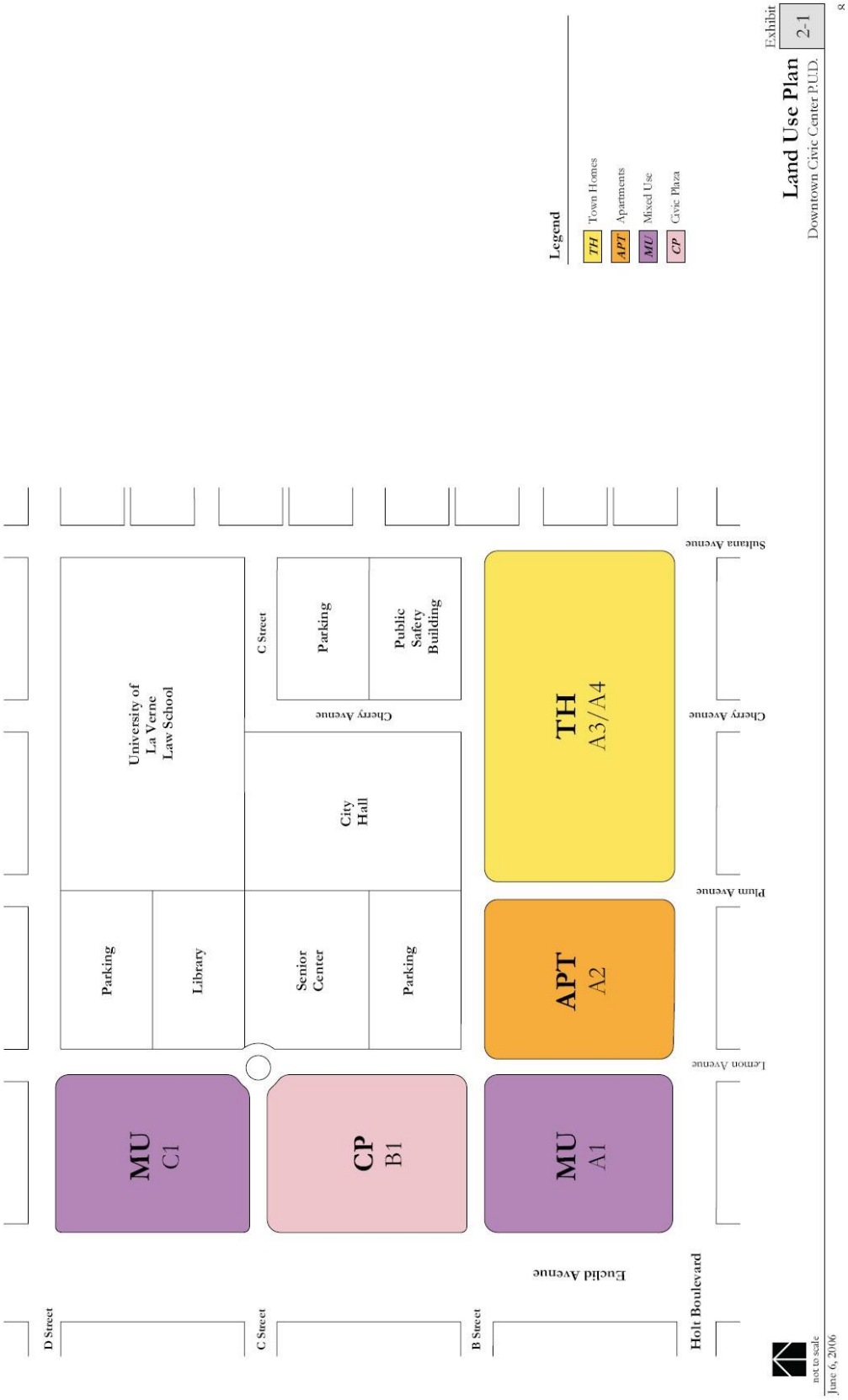
"A": Means the use is permitted by right of being in the correct land use district, provided it is subordinate to the primary land use.

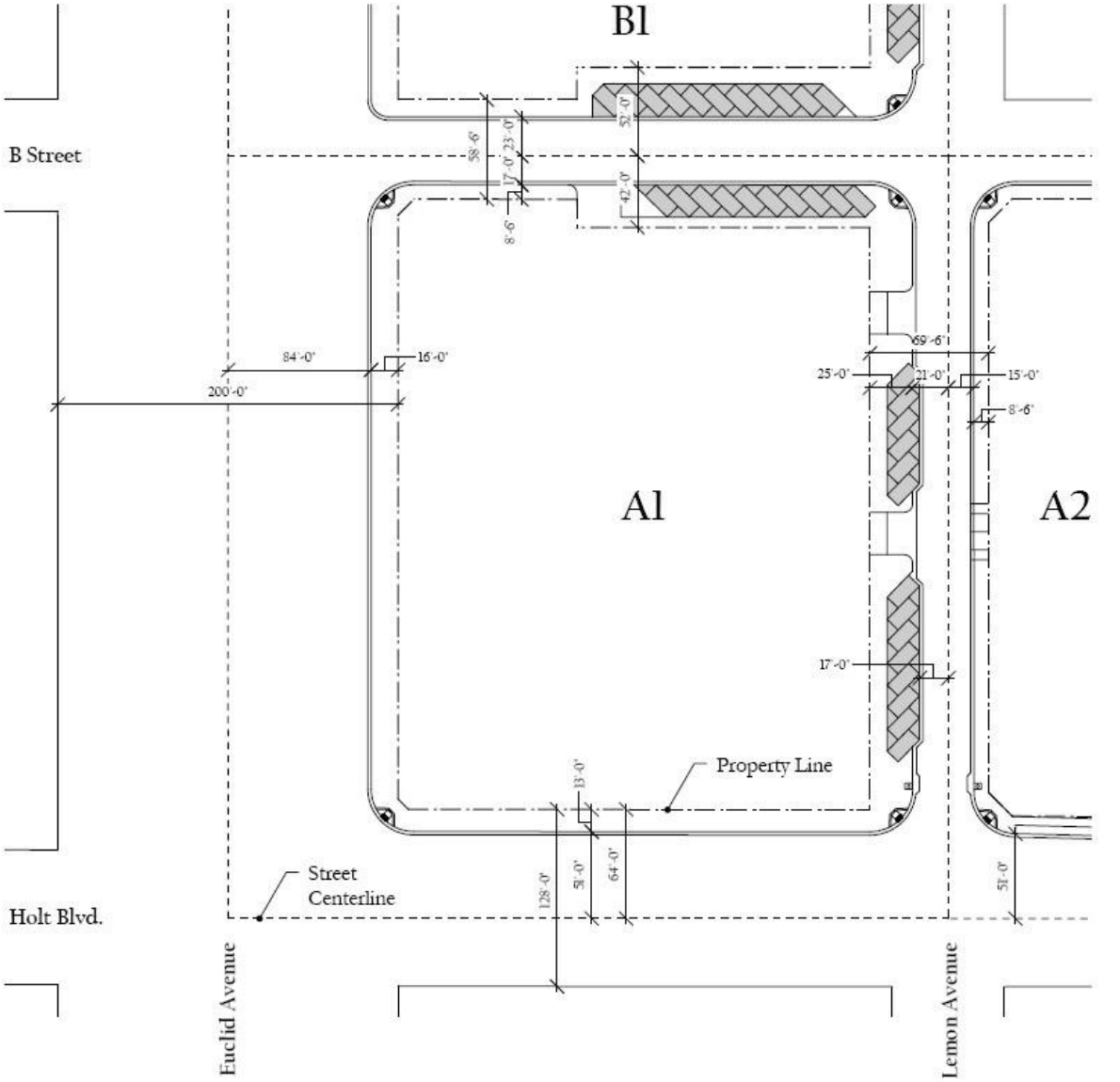
"AP": Means administratively permitted land use, activity, or facility within the specified zoning district is subject to the granting of an Administrative Use Permit in accordance with the Ontario Development Code, prior to the establishment of the land use.

Uses	Permitted/Conditionally Permitted Uses
Residential (Ground ~~2nd~~ Floor and Above)	
Apartments, Condominiums, Duplexes, and Other Multiple-Family Dwellings (includes "for sale" and "for rent" dwellings)	P
Senior Housing	P
Institutional (Ground Floor Only)	
Medical	
Pharmacies and Drug Stores	P
Public/Recreational/Cultural Facilities	
Cultural Facility	P
Museum	P
Government Offices	P
Other Government Facilities	C
Library	P
Police/Fire Station	P
Police Storefront/Substation	P
Recreation Center	P
Senior Citizen Center	P
Church	C
Non-Profit/Service Organizations	
Campaign Offices	P
Charitable, Philanthropic, Service, and other Nonprofit Organization Offices	P
Commercial	
Alcohol	
Alcoholic Beverage Sales	AP/C

Uses	Permitted/Conditionally Permitted Uses
Automobile Related Services	
Parking: Commercial Lot/Garage	C
Parking: Publicly Owned Facilities	P
Communications	
Radio and Television Broadcasting Studios (prohibited on ground/first floor of buildings located along the Euclid Avenue Protection Corridor)	C
Satellite Dishes/Ham Radio Antennas and other facilities (for private use only, must be screened from public view)	P
Eating/Drinking Places & Food Services	
Restaurants (sit down/full service)	P
Outdoor Dining**	A
Entertainment and Recreation	
Auditoriums & Other Public Assembly Facilities	C
Dance Hall/Studio (instructional)	P
Health Club/~~Gymnasium~~Gymnasium (prohibited on ground/first floor of buildings located along the Euclid Avenue Protection Corridor)	C
Health Club/Gymnasium if less than ~~2,000~~ 10,000 sq. ft. (prohibited on ground/first floor of buildings located along the Euclid Avenue Protection Corridor)	P
Live Entertainment (Non Amplified)	See Table 5.02-1 Land Use Matrix in ODC~~C~~
Recreational Facilities (as part of a residential development)	A
Theaters	C
Lodging	
Bed and Breakfast	C
Non-Medical Offices	
Administrative, Professional, and Other Offices	P
Architectural, Engineering, and Related Services	P
Business Management Offices	P
Insurance Agents, Brokers, and Related Offices	P
Real Estate and Related Offices	P
Stock Brokers and Related Offices	P
Retail	
Antique Stores	P
Art Galleries and Art Supply Store	P
Beauty Supply Store	P
Book Stores	P
Camera and Photographic Supply Store	P
Clothing & Accessory Stores	P
Computer and Home Electronic Stores	P

Uses	Permitted/Conditionally Permitted Uses
Bakery (Retail)	P
Convenience Market	P
Delicatessen	P
Grocery Store/Super Market	PC
Specialty Food Stores	P
Furniture and Home Furnishing Stores	P
Department Store	PC
Hobby, Toy and Game Store	P
Jewelry Store	P
Luggage and Leather Goods	P
Music and Video Stores	P
Office Supply, Stationery & Gift Stores	P
Pet and Pet Supply Store	P
Shoe Store	P
Services	
Advertising Agency	P
Photocopying and Duplicating Services	P
Photography Studio	P
Banks, Credit Unions and other Depository Institutions	P
Banks, Credit Unions and other Depository Institutions with Drive-Through (drive-thru prohibited on Euclid Avenue and Holt Boulevard)	C
Check Cashing	A
Barber Shop & Beauty/Nail Salon	P
Tailor	P
Travel Agency	P
Jewelry and Watches/Clocks	P
Locksmith/Key Shop	P
Shoe Repair	P
Temporary and Interim Uses	
Parking Lot Sales	P
Street/Craft Fair and Farmers Markets	P


Exhibit 2-1
Land Use Plan
Downtown Civic Center P.U.D.
Legend
TH Town Homes
APT Apartments
MU Mixed Use
CP Civic Plaza
Sultana Avenue
Cherry Avenue
Plum Avenue
Lemon Avenue
Eucild Avenue
Holt Boulevard
D Street
C Street
B Street
C Street
Cherry Avenue
University of La Verne Law School
Parking
Library
Senior Center
Parking
City Hall
Parking
Public Safety Building
TH A3/A4
APT A2
MU A1
CP B1
MU C1
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June 6, 2006

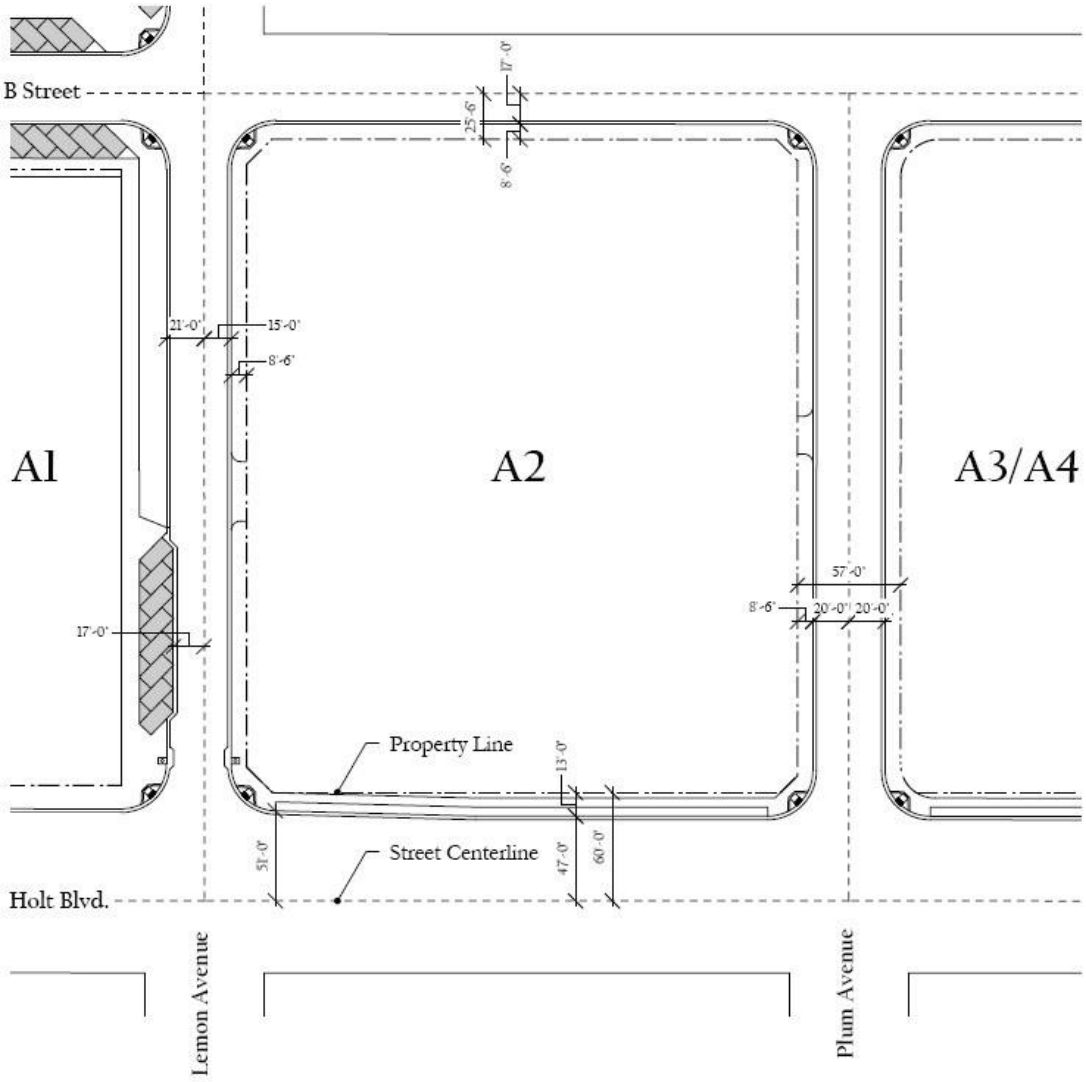


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Exhibit 2-2

Street Rights of Way/Property Lines - Block A1

Downtown Civic Center P.U.D.



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Conceptual angled parking layout

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Exhibit 2-3

Street Rights of Way/Property Lines - Block A2

Downtown Civic Center P.U.D.

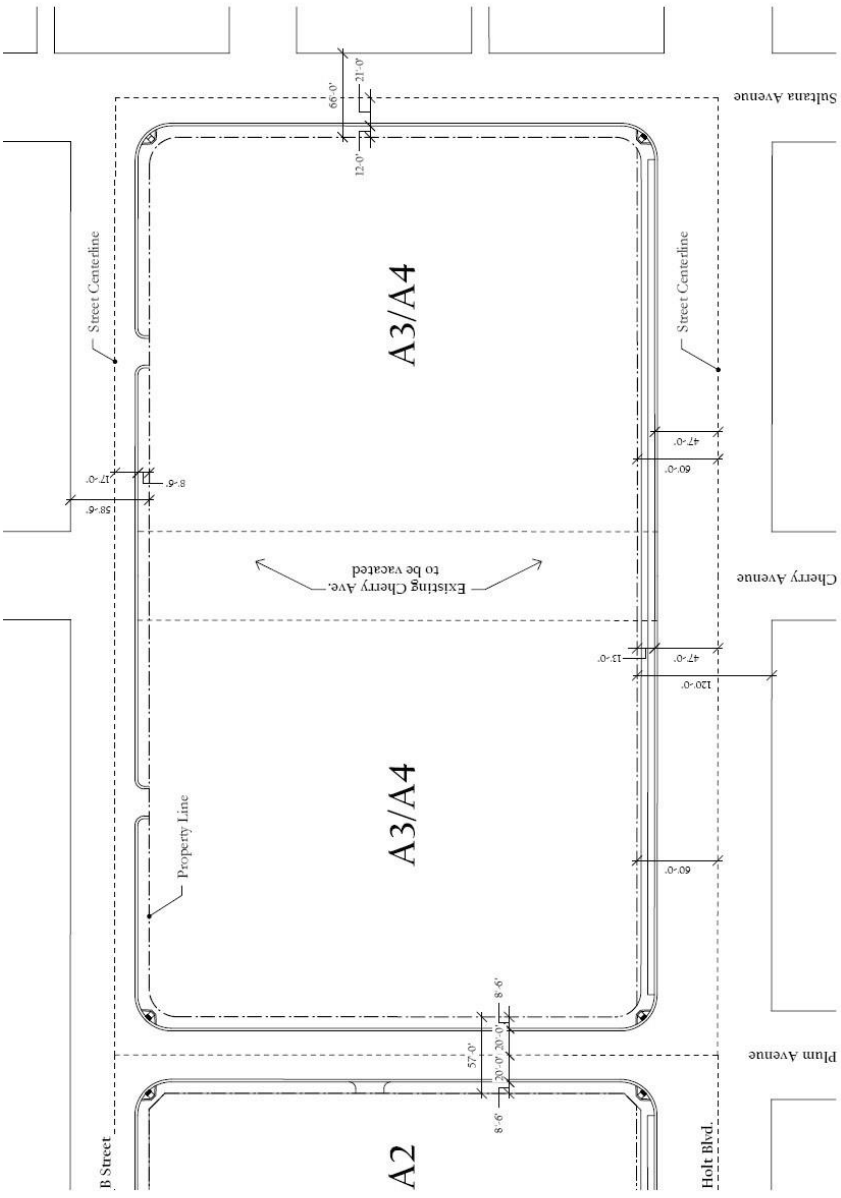
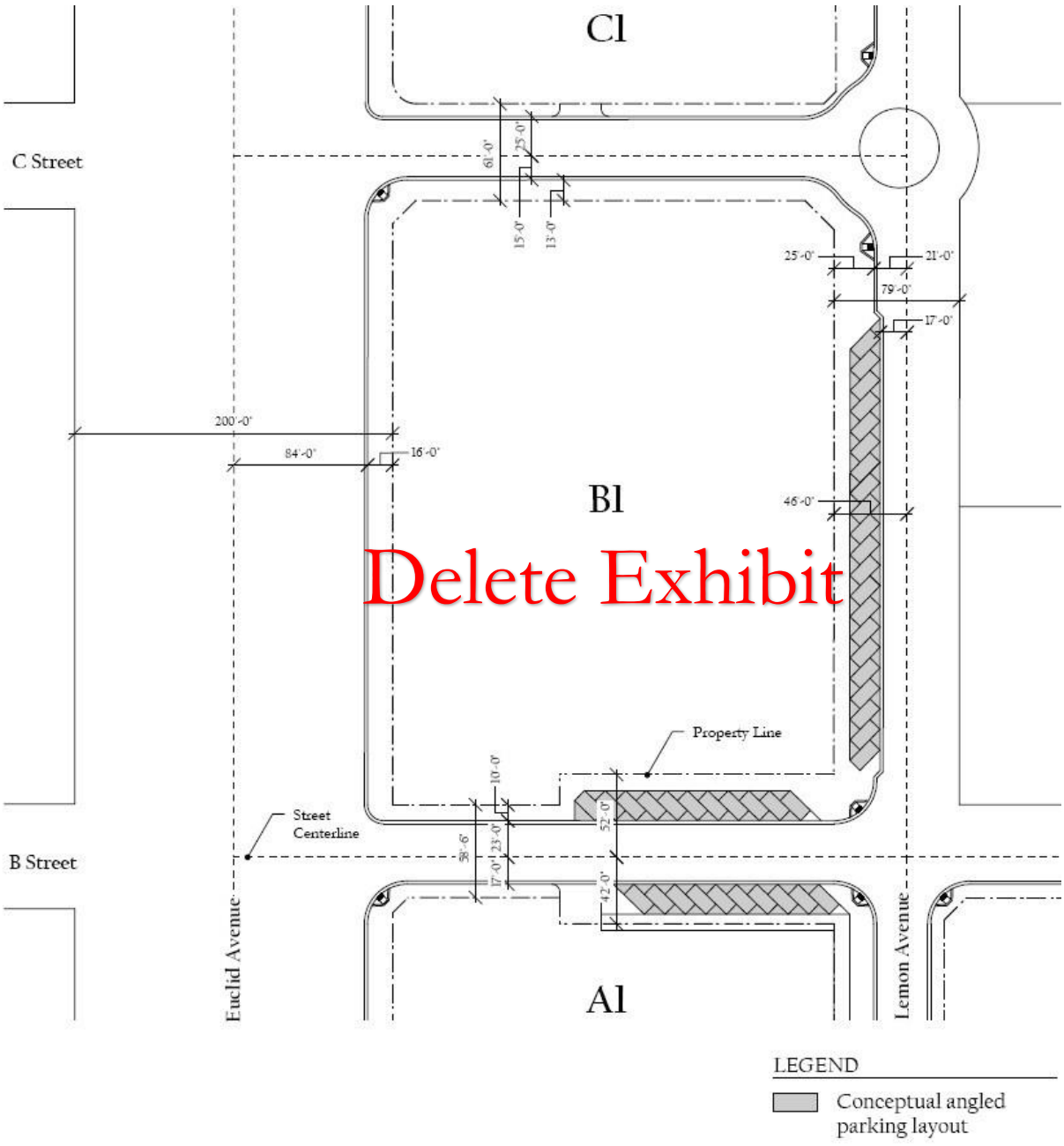


Exhibit 2-4

Street Rights of Way/Property Lines - Block A3/A4
Downtown Civic Center P.U.D.

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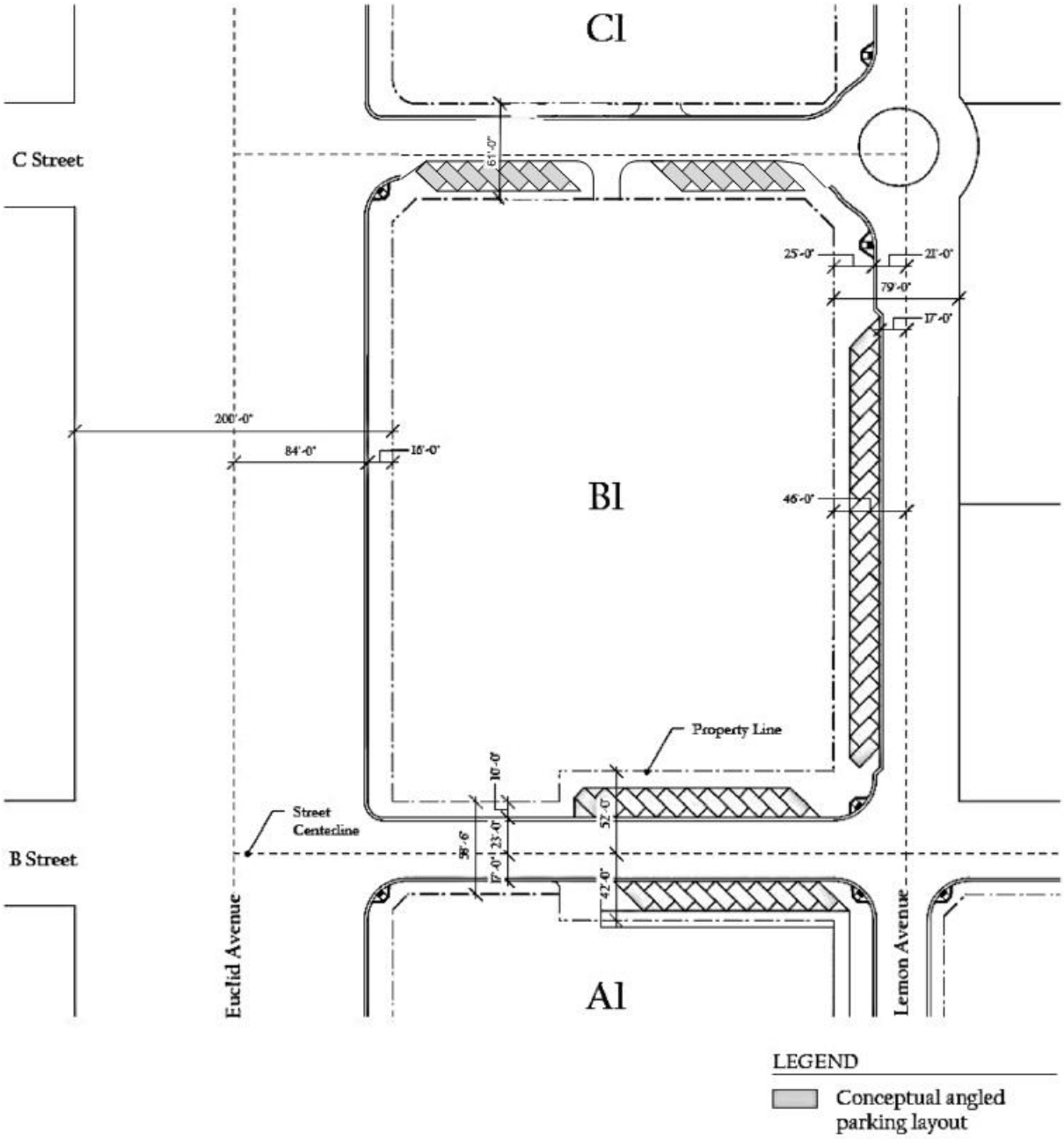


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Street Rights of Way/Property Lines - Block B1

Downtown Civic Center P.U.D.

Exhibit 2-5

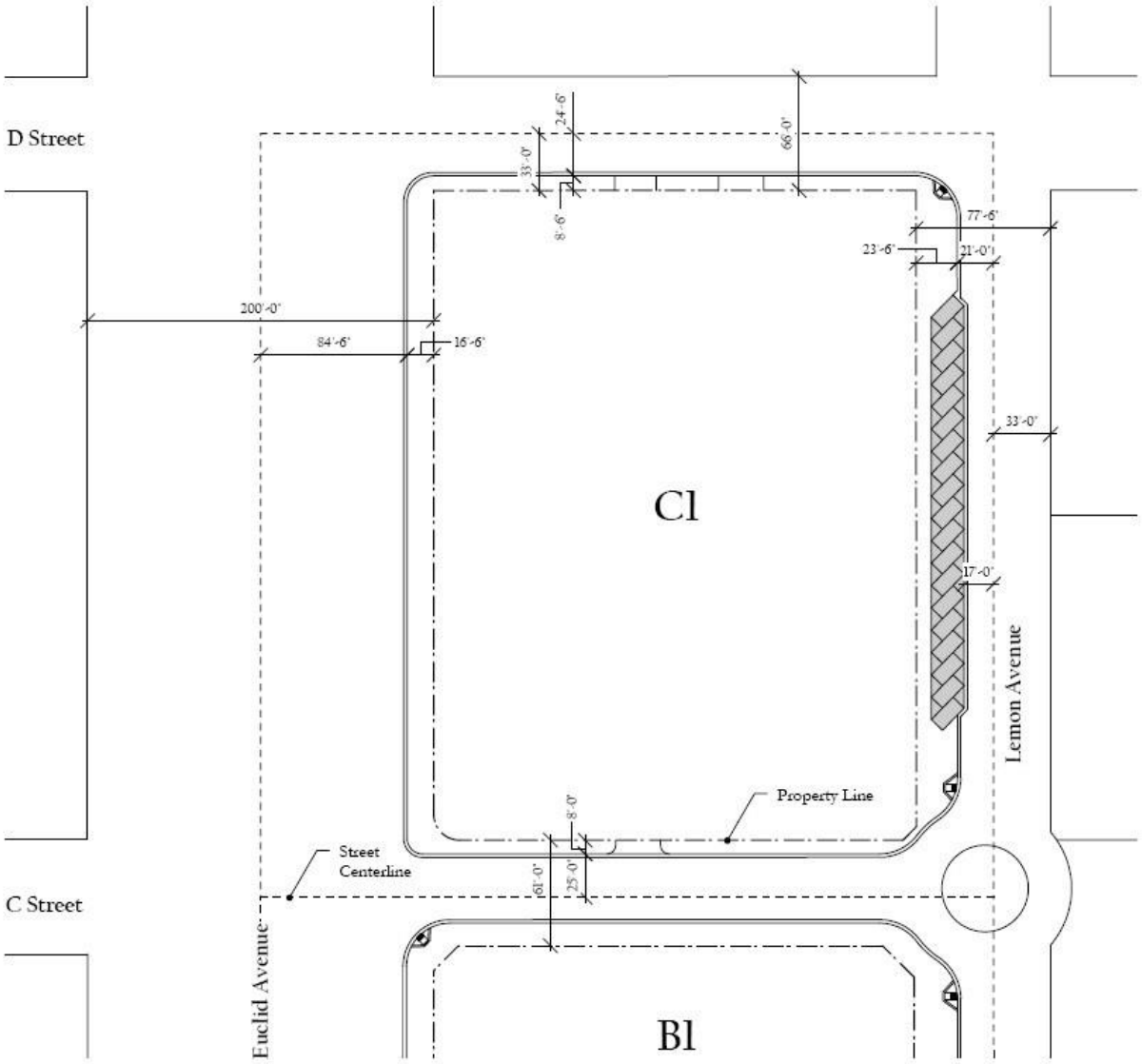


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Street Rights of Way/Property Lines - Block B1

Downtown Civic Center P.U.D.

Exhibit 94



Delete Exhibit

LEGEND

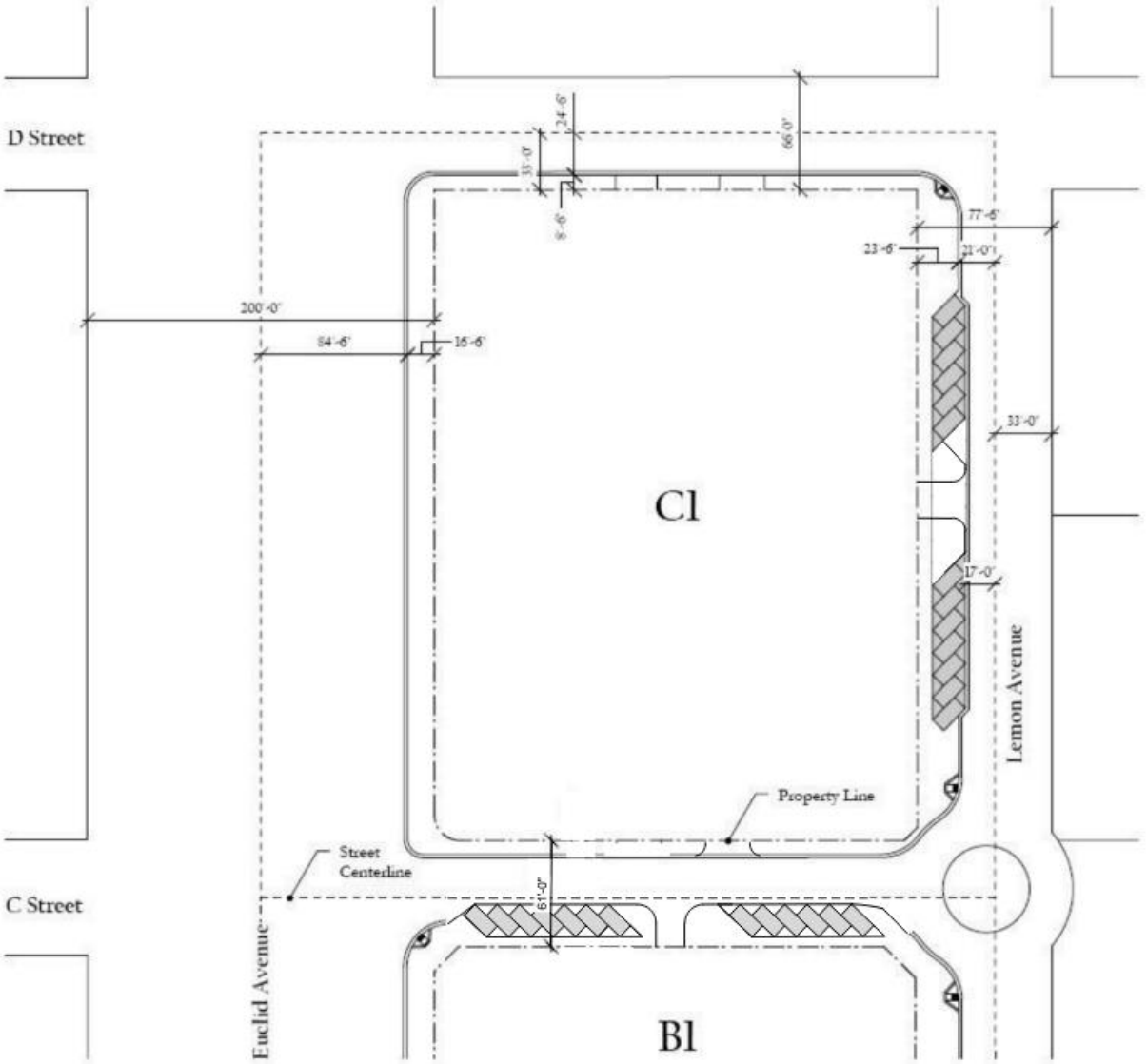
Conceptual angled parking layout

not to scale

Exhibit 2-6

Street Rights of Way/Property Lines - Block C1

Downtown Civic Center P.U.D.



LEGEND

Conceptual angled parking layout

not to scale

Street Rights of Way/Property Lines - Block C1

Downtown Civic Center P.U.D.

Exhibit 96

2.1.2 INTENSITIES

- Total building area of commercial uses at Blocks A1 and C1 shall not exceed a 0.4 floor area ratio, based on the net site area
- Residential units in Block A1 shall be developed at a density of 45 to 65 dwelling units/acre
- Residential units in Block C1 shall be developed at a density of 45 to 65 dwelling units/acre
- The total floor area ratio (as defined in the Ontario Development Code) for all development in each block shall not exceed 2.7

2.1.3 SIMILAR USES

Other land uses may be allowed, provided that the Zoning Administrator or his or her designee makes a finding that such other use is similar to or no more objectionable than those uses listed in Table 2-1.

2.2 CIVIC PLAZA (BLOCK B1)

Block B1 will be developed as a public plaza area, with 2 restaurant/retail pads at the northwest and southwest corners. The open plaza will contain decorative hardscape and landscape elements, along with seating and possibly other pedestrian amenities, to provide passive recreation opportunities for downtown area employees and shoppers and function as a visual window and pedestrian linkage into the civic center area. The Bank of Italy building, located at the southwest corner of Block B1, is considered historically significant and will be preserved/rehabilitated to enable occupancy by a restaurant and/or other businesses targeting local workers, shoppers, and residents. A new building will be constructed at the northwest corner, also to provide space for businesses catering to local shopping, dining and possibly entertainment opportunities. Outdoor dining areas may be established adjacent to each of the commercial buildings. On-site surface parking will not be permitted unless a parking demand/supply study indicates there is insufficient on-street parking or other nearby public parking resources. This is intended to maintain the open character and public plaza functions of this block.

Pursuant to the Ontario Development Code, a Development Plan shall be submitted for approval of a site plan, landscaping, parking, building footprints, architectural style, materials and colors, signs, public amenities, street trees, streetlights and public furniture.

2.2.1 PERMITTED USES

- Restaurants only on the ground floor; however, sales and professional offices (excluding medical services) are permitted as interim uses. On the second floor, all commercial uses allowed in the Mixed Use District are permitted
- Outdoor public recreation and civic activities
- Surface parking for public use

2.2.2 INTENSITIES

- Ground floor commercial uses shall not exceed a total of 10,000 square feet; second floor space shall not exceed 5,000 square feet
- Surface parking, if required, shall not cover more than 10 percent of the net site area

2.3 APARTMENTS (BLOCK A2)

This block will be developed with high quality, attached rental housing units, with 3 levels of housing over a partially underground parking structure that is screened to minimize visual impacts. Indoor and outdoor recreation amenities will be provided in one common area serving all residents. One and 2-bedroom floor plans will meet a variety of household lifestyle preferences. These homes will provide opportunities for people who work in the downtown area and cannot afford or prefer not to buy a home, to live within walking or biking distance of their jobs.

2.3.1 PERMITTED USES

- Multiple-family dwellings (i.e. apartments)
- Home occupations, in accordance with the Ontario Development Code
- Small, domesticated animal keeping, with a maximum combination of 2 cats, dogs and/or other small domesticated animals
- Outdoor and indoor recreation facilities and amenities for use by on-site residents and their guests
- Structured vehicle parking

2.3.2 INTENSITY

- Up to 65 dwelling units/acre, not to exceed a total of 160 units

2.4 TOWNHOMES (BLOCKS A3 AND A4)

Cherry Avenue will be vacated and Blocks A3 and A4 will be merged into a single development site. It will contain groupings of attractively designed, attached dwellings that will provide opportunities for work force housing in the downtown area. Two levels of living space will be built over ground floor garages, in a 3-story 'walk-up' configuration for all units. A ground-level common area will provide outdoor and indoor recreation amenities for all residents.

2.4.1 PERMITTED USES

- Multiple-family dwellings, with attached two-stall garages (includes "for sale" and "for rent" dwellings)
- Home occupations, in accordance with the Ontario Development Code

- Household pets, limited to a maximum of 3 animals
- Private and common outdoor and indoor recreation amenities for use by on-site residents and their guests
- Small family day care facilities, in accordance with the Ontario Development Code

2.4.2 INTENSITY

- 25-35 dwelling units/acre, not to exceed 140 total dwelling units

3.0 REGULATIONS FOR DEVELOPMENT

This section sets forth standards to govern the placement, height and bulk of permitted buildings and other structures, to establish locational criteria for vehicular access to development sites, to establish parking and loading requirements, to specify minimum requirements for recreational amenities for residential uses, outline sign standards for commercial uses and identify historic preservation features to be incorporated into Development Plans. Unless otherwise stated herein, all development within the project area shall meet the applicable standards and requirements of the Ontario Development Code.

3.1 COMMERCIAL/RESIDENTIAL MIXED USE (BLOCKS A1 AND C1)

3.1.1 BUILDING ENVELOPE

- Commercial, public safety, and/or academic uses shall be on the ground floor level.

- Residential units shall be located primarily on the second floor and higher levels. Residential units may be located on the ground floor behind commercial units which front Euclid Avenue.

- Structured parking for residential uses shall be underground or on the upper levels of a parking structure facility, and parking for other uses shall be at ground level.

- Total building height (to flat roofline) shall not exceed 50 feet above the highest existing sidewalk elevation. Architectural projections, such as parapets, roofed towers and gable roofs, or elevator towers may extend up to ~~60~~65 feet above the highest existing sidewalk elevation. Any rooftop mechanical, venting or communications equipment shall be built within or otherwise screened by the roof structure, so that they do not project above parapets and are not visible from any public rights-of-way or neighboring buildings. Temporary construction and/or maintenance machinery shall not exceed a height of 122 feet, measured from existing grade.

- Buildings along Euclid Avenue (Block C1) and Holt Avenue (Block A1) shall be placed at the edge of the public right-of-way. Buildings sited along the other frontages of Block C1 shall have the minimum setbacks shown on Exhibits 3-1 and 3-2, and as specified in Table 3-1. Building setbacks and projections therefrom for Block A1 shall be specified in the Development Plan submitted for that block. Awnings, canopies, residential balconies, commercial signs, and decorative architectural elements may encroach into the public rights-of-way, as specified in Table 3-1.

- A minimum 6-foot wide clear area shall be maintained for pedestrian circulation within the public right-of-way. This may be reduced to 4 feet in width adjacent to City-approved outdoor dining facilities or tree grates.

- Any yard areas provided between the main building and the adjacent right-of-way may be finished with a hardscape or with landscape elements. Landscaping shall include materials selected from the master plant palette described in Table 4-1 herein.

- Above ground utility closets, electrical transformers, backflow prevention devices, fire department connections and similar items may be placed anywhere within a perimeter yard area,

and may require screening measures, as approved by the Planning Director. Underground utility enclosures, such as electrical transformer vaults, may be placed within the street right-of-way, subject to approval by the City Engineer Director.

3.1.2 VEHICULAR ACCESS AND PARKING FACILITIES

- For Block A1, vehicular access shall be limited to no more than 2 locations along Lemon Avenue and no more than 2 on B Street, as approved by the City Engineer
- For Block C1, vehicular access shall be limited to one location on "C" Street, one location of Lemon Avenue, and no more than 2 locations on D Street, as approved by the City Engineer
- All parking required to meet the quantitative standards set forth in Section 3.1.3 shall be provided on site. Inoperable vehicles shall not be stored in any parking area.
- Angled parking spaces shall be incorporated into the western side of Lemon Avenue and both sides of "B" Street, as approved by the City Engineer

3.1.3 PARKING SUPPLY AND DESIGN

- Commercial: Minimum 1 space/250 square feet gross floor area for all permitted or conditionally permitted uses.
- Residential Condominiums: 1.2 spaces/bedroom, including guest parking
- Standard~~, compact~~ and~~/or~~ tandem parking spaces are permitted. ~~Compact spaces may comprise up to 20 percent of the total spaces and tandem~~Tandem spaces may comprise up to 20 percent of the total spaces, if supported by a parking study approved by the Planning Director. All pairs of tandem spaces shall be assigned to the same dwelling unit. A tandem space is defined as the smaller of 2 parking spaces, paired end-to-end, which is blocked by the standard-size space (see Exhibit 3-9).
- Parking space dimensions, drive aisles, etc. shall generally conform to the design standards set forth in Division 6.03 (Off-Street Parking and Loading) of the Ontario Development Code. Standard dimensions for the structured parking areas shall be as shown in Exhibit 3-9.
- A parking management plan shall be submitted for Planning Director approval, prior to issuance of building permits. This plan shall justify the mix and sizing of compact and tandem spaces, shall indicate how the residential parking will be restricted to avoid overflow into the commercial parking area, and shall ensure that tandem parking spaces will be assigned to residents of the same homes.
- Parking spaces shall not obstruct access to building entrances, trash storage areas or loading areas

3.1.4 RESIDENTIAL RECREATION AREA

- Private outdoor open space (balconies) shall be provided for at least 90 percent of all homes. At least 80 percent of all balconies shall have a minimum dimension of 6 feet and the

remainder shall have a minimum dimension of 3 feet. The average area of all balconies shall be 56 square feet. The minimum area for a balcony shall be 50 square feet.

- Common open space/recreation amenities shall be provided on the podium or ground level of the project, at a minimum ratio of 200 square feet per dwelling unit. This may include a combination of passive and active, indoor and outdoor spaces, and landscaped and hardscaped ground surfaces, and shall include an outdoor pool. Such common area does not include walkways and corridors between buildings, areas occupied by utility equipment or any perimeter yards abutting the public right-of-way. Outdoor recreation areas shall comprise a minimum of 80 percent of the total common recreation area.

3.1.5 SERVICE FACILITIES

- Loading/Unloading areas shall be provided on site, at the ground level, adjacent to commercial buildings. One such area shall be provided for each building 7,500 square feet GFA or larger. Design shall be as approved by the Planning and Public Works Directors.

- Loading/Unloading for residential uses shall be limited to the C ~~and D~~ Street and Lemon Avenue frontages.~~,~~ Location, signage and any hourly restrictions to be imposed on such areas shall be approved by the City Engineer.

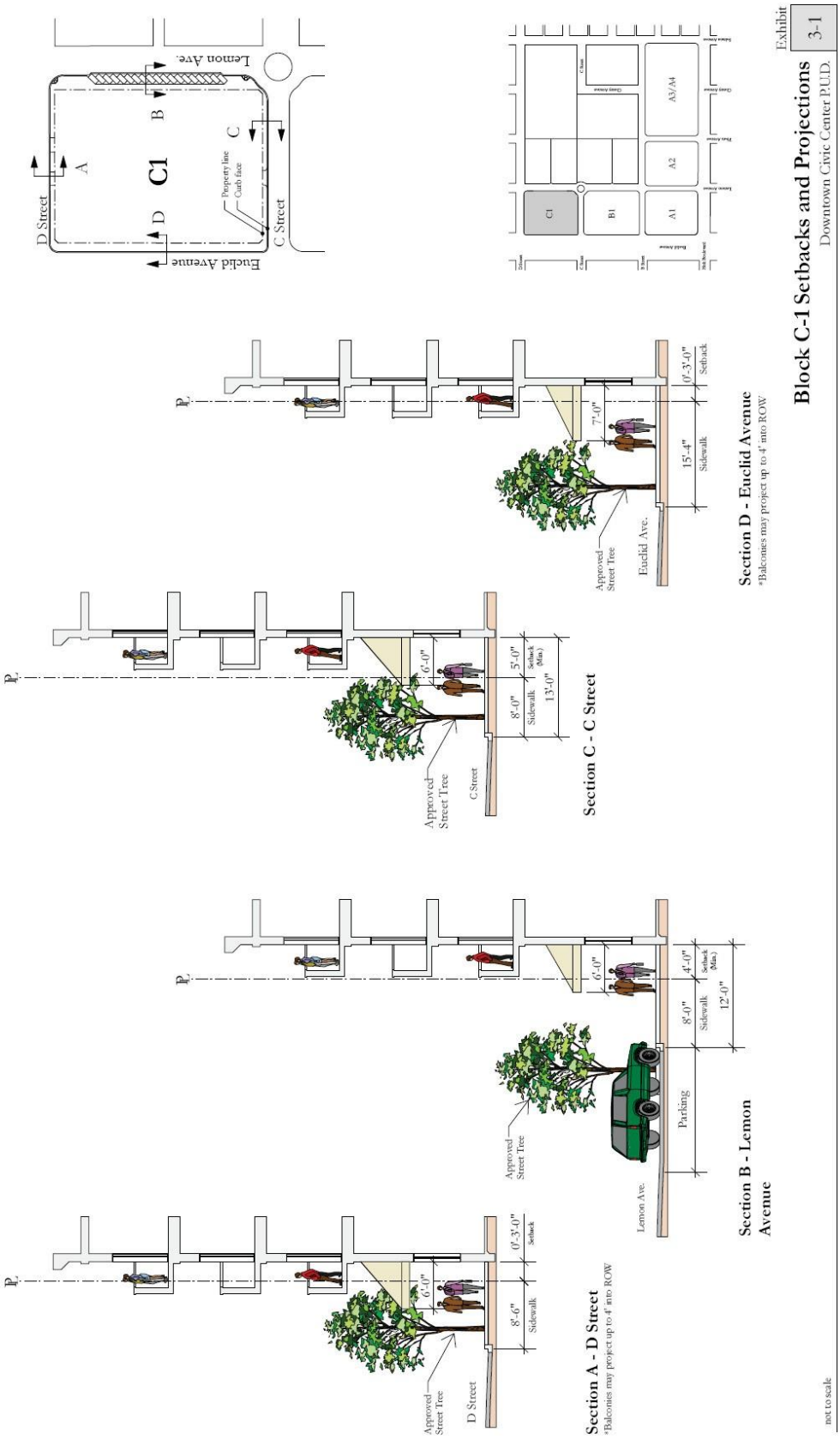
- Trash receptacles/recyclable container storage areas ~~shall~~ may be provided for all commercial and residential uses, within the ground floor parking structure area. Commercial trash/recyclable receptacles that are located within the ground floor parking structure area shall be partially enclosed and residential receptacle/storage areas shall be fully enclosed, to house the outlet of the trash chute system required for the condominium levels. Such receptacle/storage area may receive trash from commercial and residential sources. Locations, sizes and design of such areas shall be readily accessible by trash disposal company equipment and work crews, as approved by the Planning and Public Works Directors, in consultation with the trash disposal vendor.

3.1.6 SIGNS

- A Master Sign Program for each block shall be submitted for approval by the Planning Director, prior to issuance of a building permit. The sign program shall be consistent with the Downtown Ontario Design Guidelines, and shall include tenant signs, pedestrian signs, directional signs, historical markers, etc.

3.1.7 LANDSCAPE PLAN

- A detailed landscape plan shall be submitted with the Development Plan, specifying all landscape and hardscape elements of the common open space area, as well as the perimeter yards abutting the street rights-of-way and all street trees. The final plan shall also show the location of all ground level utility boxes and mechanical equipment, along with methods of screening such devices from the public right-of-way and adjacent residences, where possible. The landscape plan shall incorporate ~~appropriate elements of~~ the master plant palette for this PUD, set forth in Table ~~Section~~ 4.1 herein.

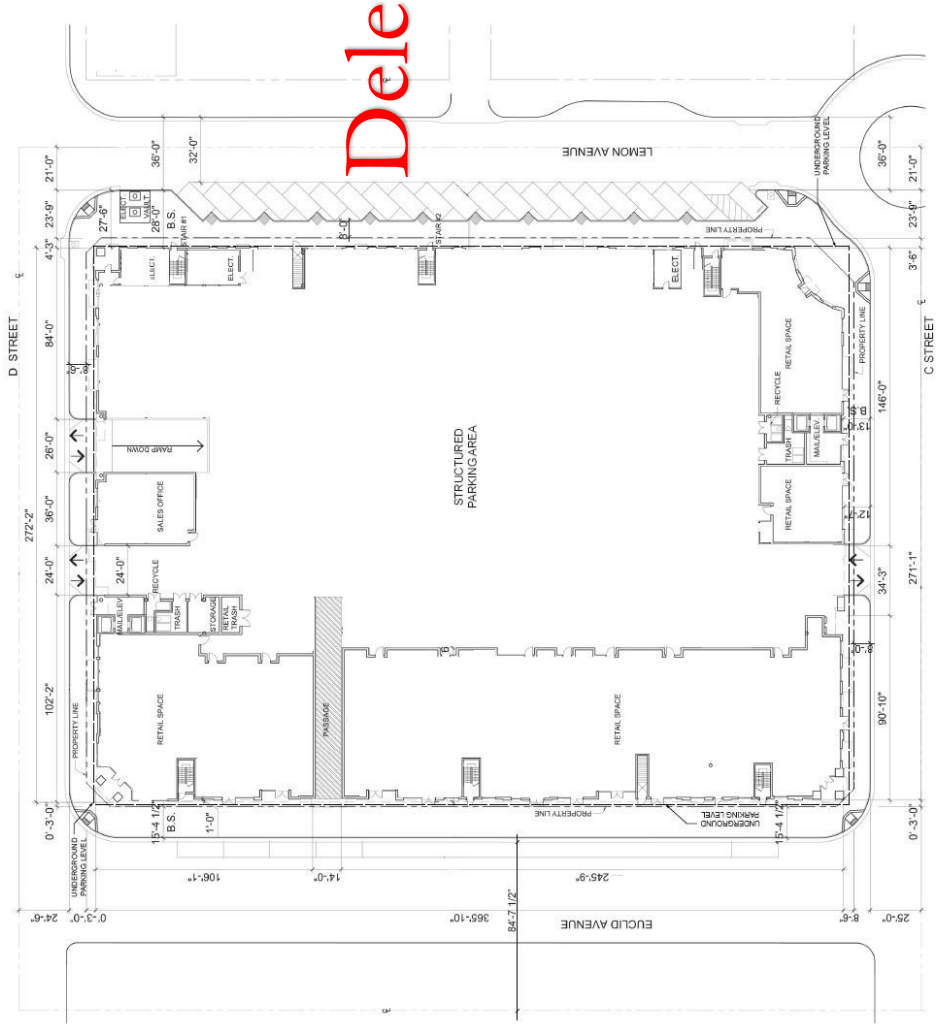

Exhibit 3-1
Block C-1 Setbacks and Projections
Downtown Civic Center PUD.
Lemon Ave.
Euclid Avenue
D Street
C Street
C1
A
B
C
D
Property line
Curb face
A3/A4
A2
A1
B1
C1
Section D - Euclid Avenue
*Balconies may project up to 4' into ROW
Approved Street Tree
Euclid Ave.
7'-0"
15'-4"
Sidewalk
0'-3'-0"
Setback
Section C - C Street
Approved Street Tree
C Street
6'-0"
8'-0"
Sidewalk
5'-0"
Setback (Max.)
13'-0"
Section B - Lemon Avenue
Approved Street Tree
Lemon Ave.
Parking
6'-0"
8'-0"
Sidewalk
4'-0"
Setback (Max.)
12'-0"
Section A - D Street
*Balconies may project up to 4' into ROW
Approved Street Tree
D Street
6'-0"
8'-6"
Sidewalk
0'-3'-0"
Setback
not to scale

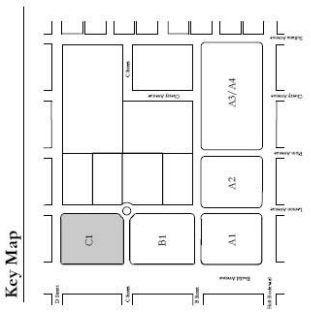
Delete Exhibit

Exhibit 3-2

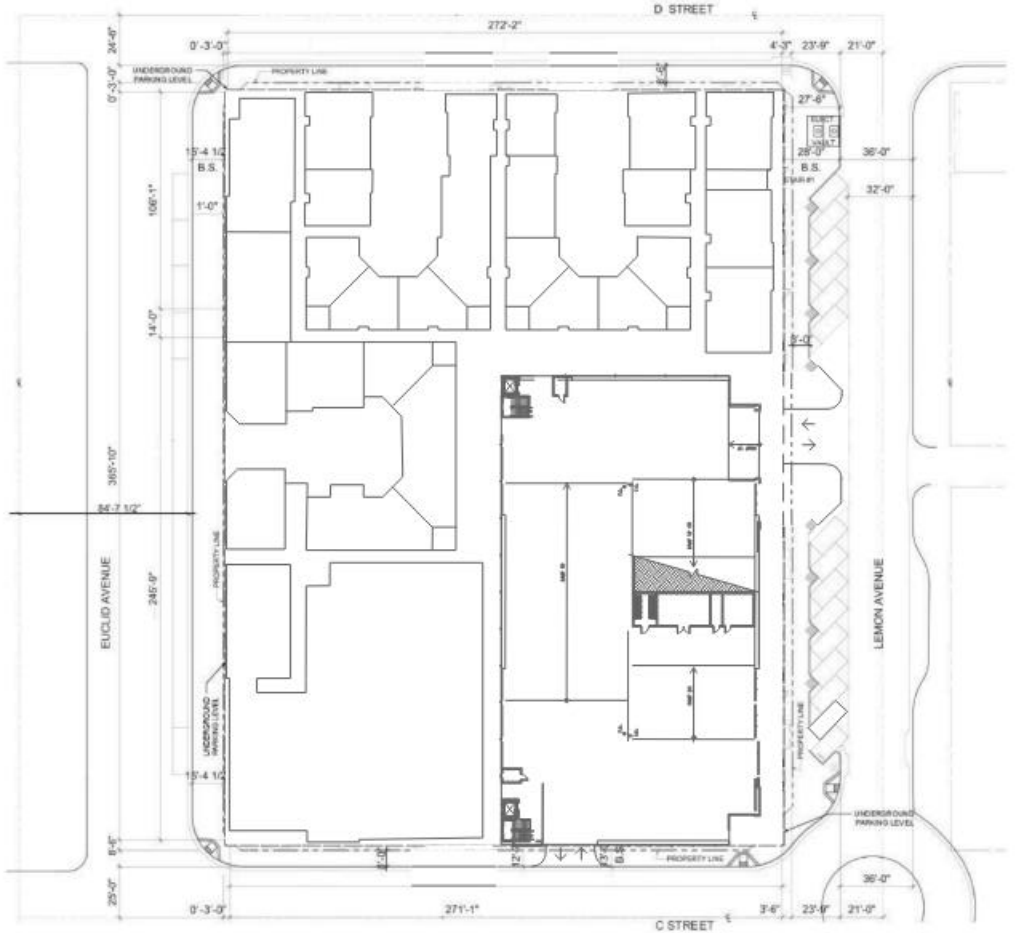
Building Envelope - Block C1

Downtown Civic Center P.U.D.

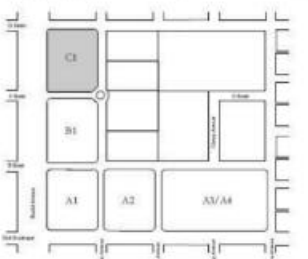




not to scale



Key Map



not to scale

Exhibit 3-2

Building Envelope - Block C1

Downtown Civic Center P.U.D.

3.2 CIVIC PLAZA (BLOCK B1)

3.2.1 BUILDING ENVELOPE (COMMERCIAL PADS ONLY)

- Buildings may be one or 2-story, not to exceed 35 feet high, measured from highest adjacent existing sidewalk elevation. Architectural projections may extend up to 45 feet high.

- Buildings may be built up to the Euclid Avenue, B Street and C Street rights-of-way. Any building shoring shall not extend into the public right-of-way.

3.2.2 VEHICULAR ACCESS AND PARKING FACILITIES

- Vehicular access shall be limited to no more than 2 locations on Lemon Avenue and one on B Street, as approved by the City Traffic Engineer.

- Vehicle parking on site shall be located along Lemon Avenue

- Parking shall cover no more than 25 percent of the net site area

3.2.3 PARKING SUPPLY AND DESIGN

- The number of vehicle parking spaces provided on site shall be determined in a parking demand/supply study included as a supporting document for the Development Plan submitted for Block B1. Space and aisle dimensions shall be in accordance with the standards set forth in the Ontario Development Code. Canopy trees shall be provided within the parking area, as approved by the City's Landscape Planner.

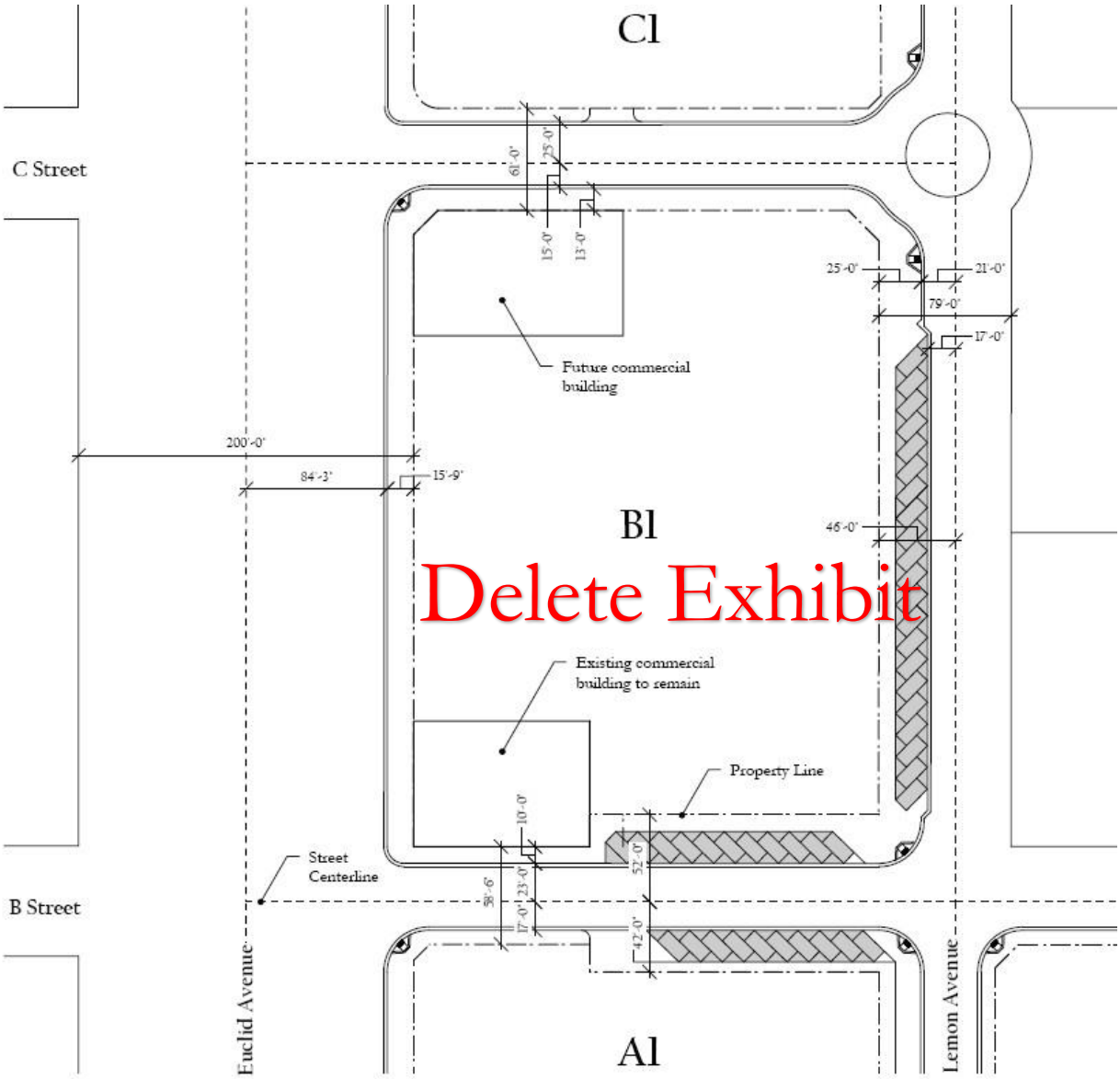
3.2.4 SERVICE FACILITIES

- Loading/unloading for the commercial sites shall be limited to the B and C Street frontages. Location, signage and any hourly restrictions for such areas shall be approved by the Planning and Public Works Directors.

- A decorative trash enclosure, with 4 sides and a partially enclosed roof element, shall be provided within the vehicle parking area. This shall be sized to provide sufficient trash receptacle/recyclable container storage for both commercial buildings. Materials, style and colors shall be compatible with the architectural elements of the 2 commercial buildings and consistent with the traditional downtown theme for the downtown area. The trash enclosure design shall be approved by the Planning and Public Works Directors.

3.2.5 SIGNS

- A master sign program for all private and public signs shall be submitted for approval by the Planning Director, prior to issuance of a building permit. All signs shall be consistent with the Downtown Ontario Design Guidelines.

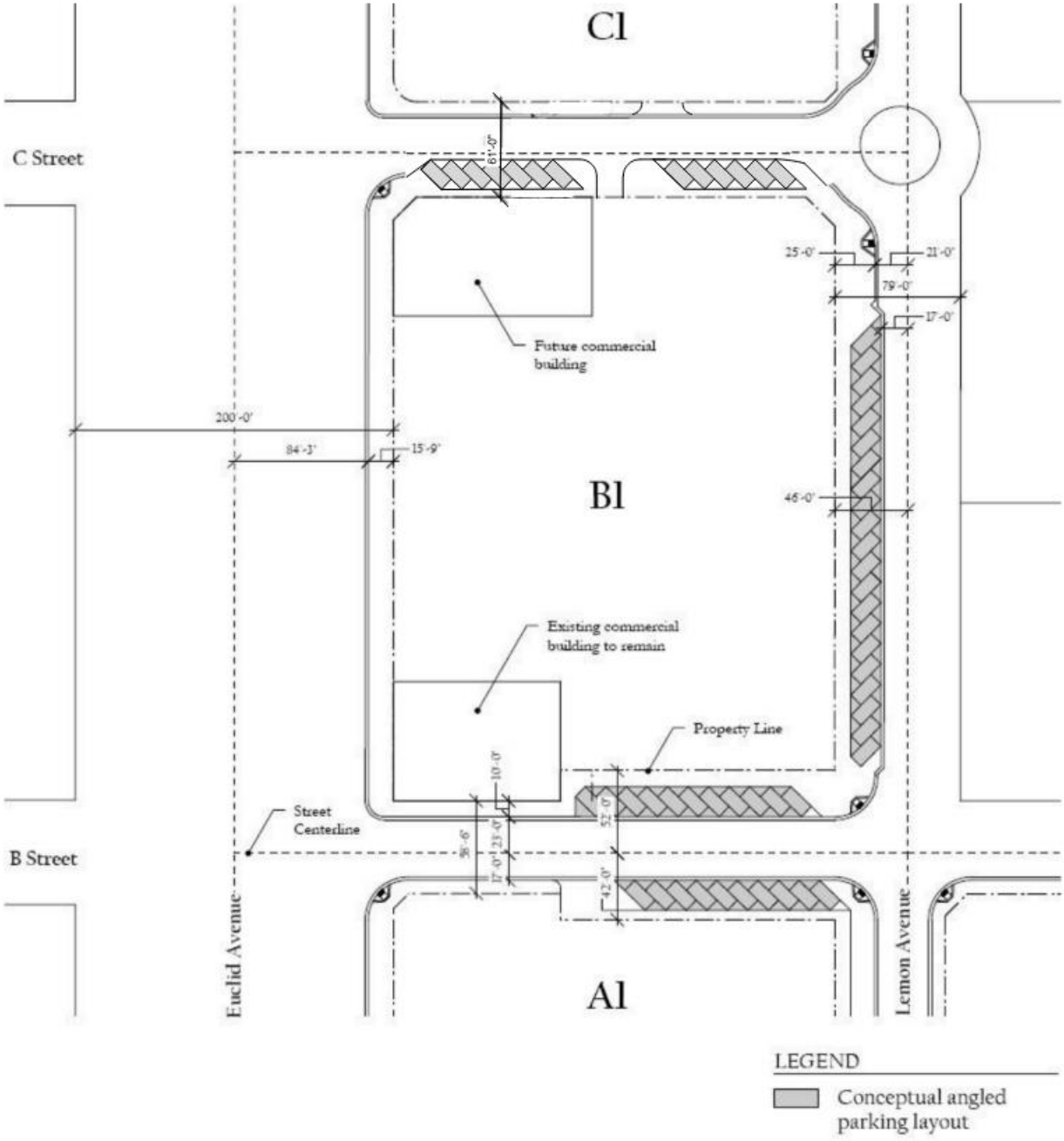


not to scale

Exhibit 3-3

Conceptual Building Envelope - Block B1

Downtown Civic Center P.U.D.



not to scale

Exhibit 109

Conceptual Building Envelope - Block B1

Downtown Civic Center P.U.D.

3.3 APARTMENTS (BLOCK A2)

3.3.1 BUILDING ENVELOPE

- Structured parking shall be built in a semi subterranean manner, to minimize the exposure of concrete exteriors along adjacent streets

- Up to 3 levels of residential over structured parking, provided that total maximum building height, measured from the highest sidewalk elevation to the main roof line, does not exceed 50 feet. Architectural projections such as elevator towers or other focal elements may extend up to 60 feet high. Any rooftop mechanical equipment shall be built within or otherwise screened by the roof structure, so that they do not project above the roofline of the building and are not visible from any public rights-of-way or neighboring buildings. Temporary construction and/or maintenance machinery shall not exceed a height of 122 feet from existing grade.

- Building setbacks shall be in conformance with the specifications illustrated on Exhibit 3-3 and 3-4, and as set forth in Table 3-1. Ground-level mechanical equipment, utility closets, etc., may be placed within the required setback area; provided, they are fully screened in accordance with Section 4.3.1 herein. Corner elements may extend closer to the right-of-way line as specified in Table 3.2.

- All perimeter yards abutting street rights-of-way shall be landscaped with a uniform palette of materials, in accordance with the master plant list set forth in Section 4.1 herein.

- Above-ground utility closets, electrical transformers, backflow prevention devices, fire department connections and similar items may be placed anywhere within a perimeter yard area, and may require screening measures, as approved by the Planning Director. Underground utility enclosures, such as electrical transformer vaults, may be placed within the street right-of-way, subject to approval by the City Engineer.

3.3.2 VEHICULAR ACCESS AND PARKING FACILITIES

- Vehicular access shall be limited to one location on Lemon Avenue and one on Plum Avenue, as approved by the City Traffic Engineer, (see Exhibit 3-10).

- All resident parking required to meet the quantitative standards set forth in Section 3.3.4 shall be provided on site. Inoperable vehicles shall not be stored in any parking area.

- Resident parking shall be provided in a semi-subterranean parking structure, with secured access to prevent use by non-residents. Guest/visitor parking is not required on site; adjacent on-street parking is considered sufficient. Parking along Holt Boulevard shall be prohibited.

3.3.3 OUTDOOR RECREATION AND YARDS

- Private outdoor open space shall be provided for each apartment, with a minimum dimension of 5 feet and a minimum area of 50 square feet

- Common open space/recreation amenities shall be provided on the podium level of the project. This may include a combination of passive and active, indoor and outdoor spaces, landscaped and hardscaped ground surfaces, and shall include an outdoor pool. Such common area

does not include walkways and corridors between buildings, areas occupied by utility equipment or any perimeter yards abutting the public right-of-way. Outdoor recreation areas shall comprise a minimum of 80 percent of the total common area.

3.3.4 PARKING SUPPLY AND DESIGN

- One and one-half space for each one-bedroom unit and 2 spaces for each 2-bedroom unit, for residents.

- A combination of standard, compact and tandem spaces may be provided. Compact spaces may comprise up to 31 percent of the total spaces, if supported by a parking study approved by the Planning Director. Tandem-parked spaces may comprise up to 28 percent of the total, if supported by a parking study approved by the Planning Director.

- Parking space dimensions, drive aisles, etc. shall generally conform to the design standards set forth in the Ontario Development Code, except as shown in Exhibit 3-10. A tandem space is defined as the smaller of 2 parking spaces, paired end-to-end, which is blocked by the standard-size space (see Exhibit 3-10).

- Each pair of spaces to be parked in tandem shall be assigned to the same apartment unit, as controlled by the property manager.

3.3.5 SERVICE FACILITIES

- Loading/unloading for residential uses and trash pickup service shall be limited to adjacent street frontages. Location, signage and any hourly restrictions to be imposed on such areas shall be approved by the Planning Director and the City Engineer

- At least 2 trash /recyclable container storage areas shall be provided within the parking structure area. Such areas shall be fully enclosed and readily accessible by trash disposal company equipment and work crews. Locations, sizes and design of such areas shall be approved by the Planning Director and the City Engineer, in consultation with the trash disposal vendor.

3.3.6 LANDSCAPE PLAN

A detailed landscape plan shall be submitted with the Development Plan for this block, specifying all landscape and hardscape elements of the common open space area, as well as the perimeter yards abutting the street rights-of-way, and all street trees. The final plan shall also show the location of all ground level utility boxes and mechanical equipment, along with methods of screening such devices from the public right-of-way and adjacent residences, where possible. The landscape plan shall incorporate ~~appropriate elements of~~ the master plant palette for this PUD, set forth in Table 4.1 herein.

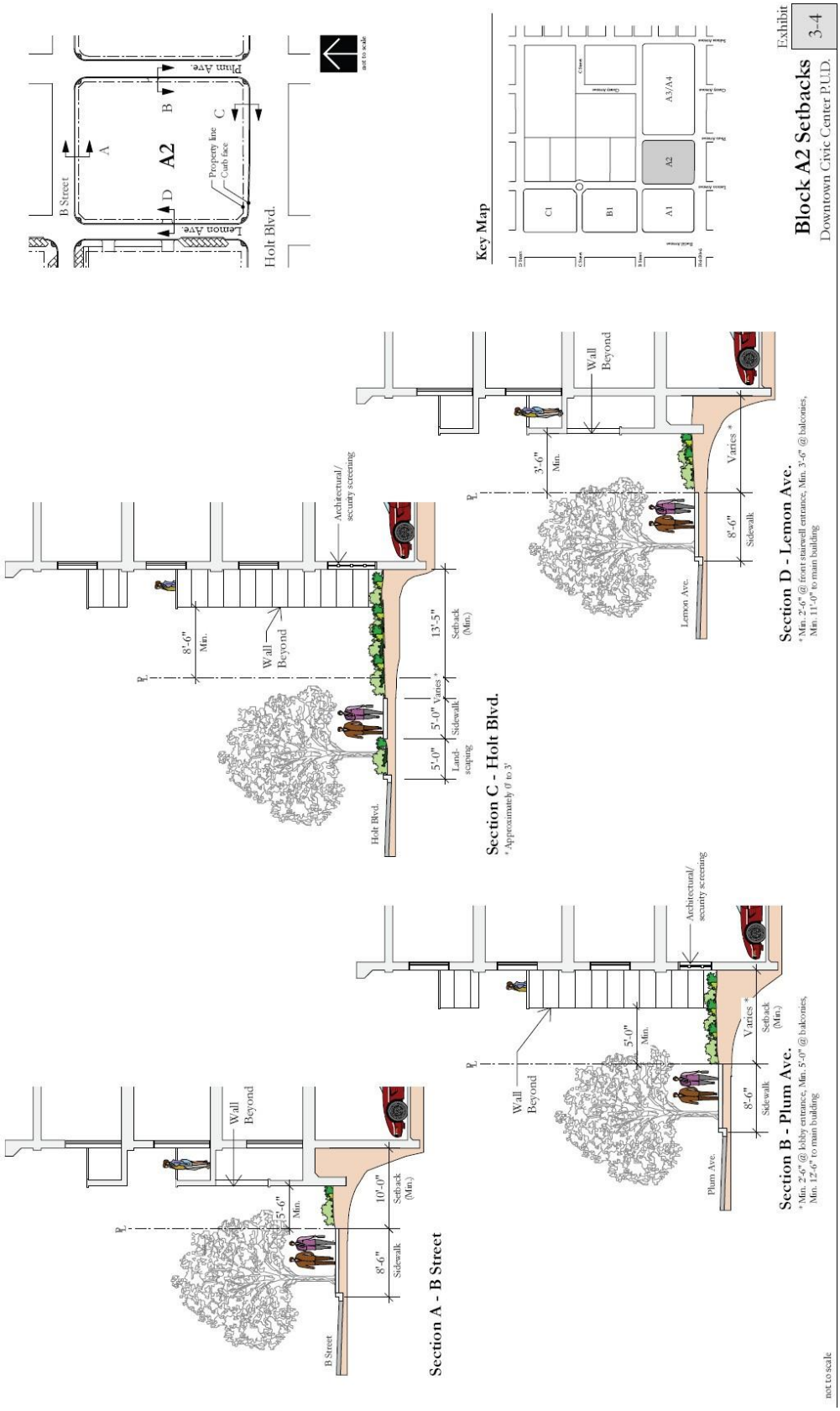
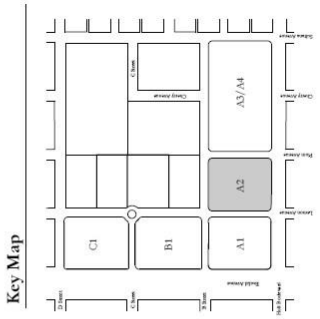
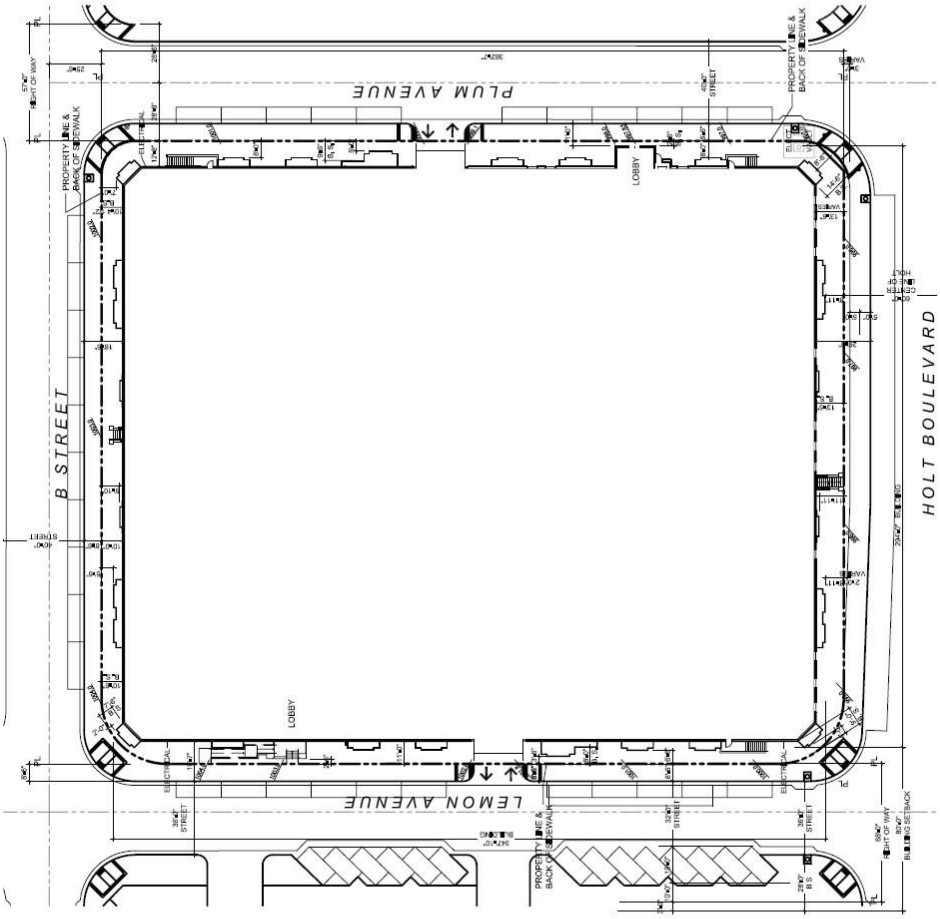

Exhibit 3-4
Block A2 Setbacks
Downtown Civic Center PUD.
Key Map
C1
B1
A1
A2
A3/A4
Plum Ave.
B Street
Lemon Ave.
Holt Blvd.
A2
Property line
Curb face
not to scale
Section A - B Street
Section B - Plum Ave.
* Min. 2'-6" @ lobby entrance, Min. 5'-0" @ balconies, Min. 12'-6" to main building
Section C - Holt Blvd.
* Approximately 0' to 3'
Section D - Lemon Ave.
* Min. 2'-6" @ front stairwell entrance, Min. 3'-6" @ balconies, Min. 11'-0" to main building
Wall Beyond
Architectural/ security screening
Sidewalk
Landscaping
Setback (Min.)
Varies *
Min.
not to scale

Exhibit 3-5

Building Envelope - Block A2

Downtown Civic Center PUD.





not to scale

3.4 TOWNHOMES (BLOCKS A3/A4)

3.4.1 BUILDING ENVELOPE

- Buildings shall not exceed 3 stories, with rooflines reaching a maximum height of 40 feet above the highest existing adjacent sidewalk elevation. Architectural projections, chimneys, etc. may extend up to 45 feet high. Any rooftop mechanical equipment shall be built within or otherwise screened by the roof structure, so that they do not project above the roofline of the building and are not visible from any public rights-of-way or neighboring buildings. Temporary construction and/or maintenance machinery shall not exceed a height of 122 feet from existing grade.

- Building setbacks shall be in conformance with the specifications specified in Table 3-2, and illustrated on Exhibits 3-5 and 3-6. Please note that the minimum setback dimensions shown are not intended as a uniform standard along any street frontage. Corner buildings may have smaller setbacks than mid-block building elements and some undulation in building faces is desired to create a sense of movement, particularly along Holt Boulevard. Residential balconies may project into required setback areas up to 5 feet beyond the main building face. Ground-level mechanical equipment, utility closets, etc., may be placed within the required setback area as specified in Table 3-1, provided they are fully screened in accordance with Section 4.3.2 herein.

- All perimeter yards abutting street rights-of-way shall be landscaped with a uniform palette of materials, in accordance with the master plant palette set forth in Table 4.1 herein.

- Above-ground utility closets, electrical transformers, backflow prevention devices, fire department connections and similar items may be placed anywhere within a perimeter yard area, and may require screening measures, as approved by the Planning Director. Underground utility enclosures, such as electrical transformer vaults, may be placed within the street right-of-way, subject to approval by the Public Works Director.

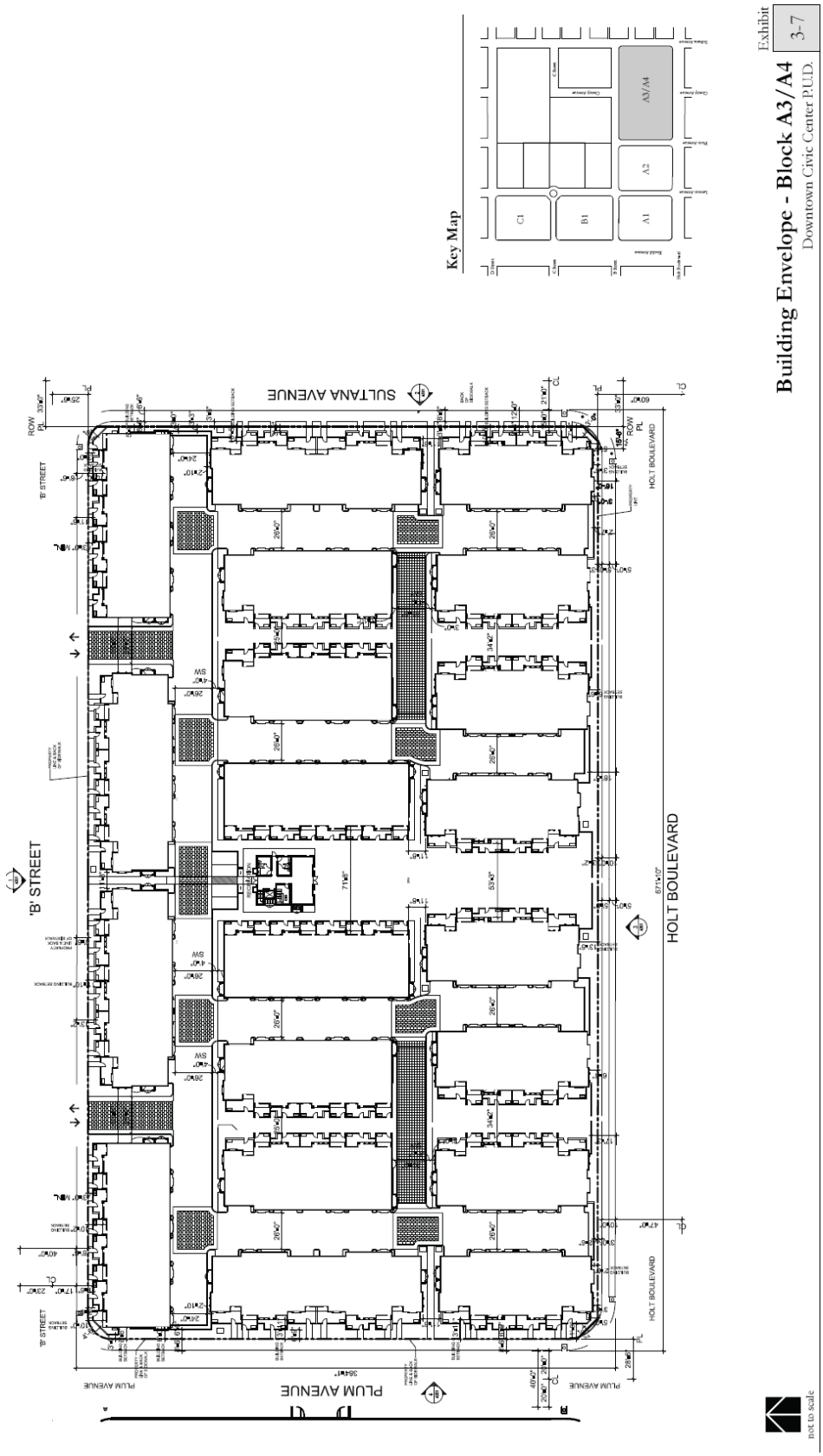
3.4.2 VEHICULAR ACCESS AND PARKING FACILITIES

- Vehicular access shall be limited to 2 locations on B Street. Drive width, length and locations shall be as approved by the City Traffic Engineer.

- Resident parking shall be provided in fully enclosed garages, directly attached to each dwelling unit. Guest parking is not required on site; adjacent on-street parking is considered sufficient. Parking along Holt Boulevard shall be prohibited. Inoperable vehicles shall not be stored anywhere on premises or on any street.

- Space within each garage shall be provided for trash containers; this shall not encroach into space required for vehicle parking.

Exhibit 3-6
Block A3/A4 Setbacks
Downtown Civic Center PUD.
Key Map
A3/A4
A2
A1
B1
C1
Sultana Ave.
Plum Ave.
Holt Blvd.
B Street
A3/A4
Property line
Curb face
* Refer to exhibit 3-8 for corner unit setbacks
not to scale
Section B - Sultana Ave.
42" high patio wall (max.)
10'-6"
Bldg Setback
3'-0"
3'-6"
8'-6"
Sidewalk
Sultana St.
Section D - Plum Ave.
42" high patio wall (max.)
13'-6"
Bldg Setback
6'-0"
Landscaping
8'-6"
Sidewalk
Plum Ave.
Section A - B Street
42" high patio wall (max.)
10'-0"
Bldg Setback
3'-0"
Land-scaping
8'-6"
Sidewalk
B Street
Section C - Holt Blvd.
*Min. 5'-6" - however, corner building setback may be reduced to 2'-6"
6' high alley screen wall (max.)
Varies*
Min.
3'-0"
5'-0"
Landscaping
Sidewalk
Holt Blvd.
not to scale


Exhibit 3-7
Building Envelope - Block A3/A4
Downtown Civic Center P.U.D.
Key Map
A3/A4
A2
A1
B1
C1
SULTANA AVENUE
'B' STREET
HOLT BOULEVARD
PLUM AVENUE
not to scale

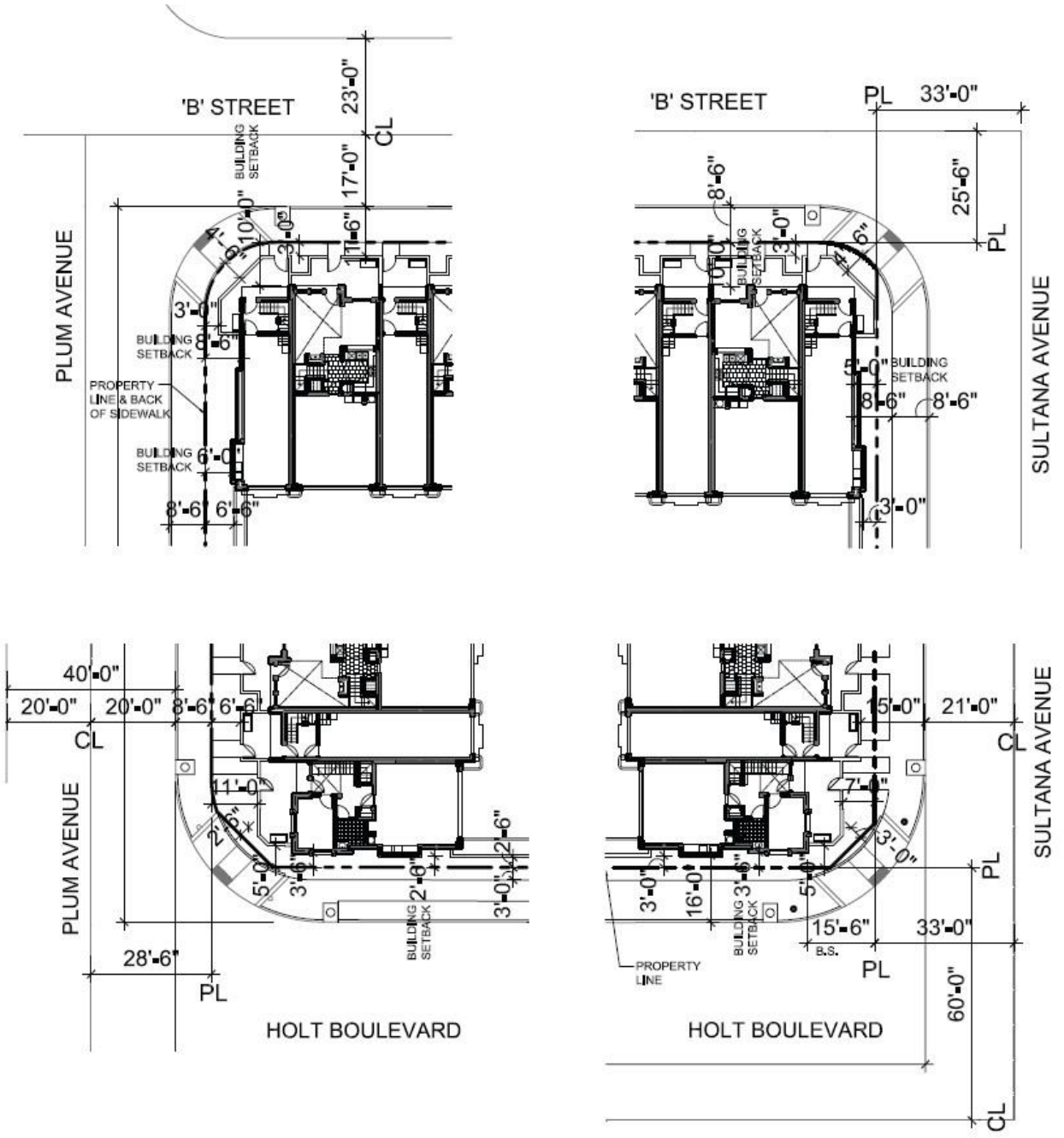


Exhibit 3-8

Corner Unit Setbacks - Block A3/A4

Downtown Civic Center P.U.D.

3.4.3 OUTDOOR RECREATION AREA

- A private, fenced, ground level outdoor open space/recreation area shall be provided for each home. Each such space shall have a minimum dimension of 7 feet and a minimum area of 90 square feet, except for the corner units at "B" St./Plum Ave. and "B" St./Sultana Ave, which shall have a minimum area of 50 square feet.

- Common open space/recreation amenities shall be provided in a central location to facilitate access by all residents. Such amenities may be comprised of active and passive, indoor and outdoor spaces, landscaped and hardscaped ground surfaces, and shall include an outdoor pool. Such common area does not include walkways and corridors between buildings, areas occupied by utility equipment or any perimeter yards abutting the public right-of-way. Outdoor spaces shall comprise a minimum of 80 percent of all common recreation area.

3.4.4 PARKING SUPPLY AND DESIGN

- Two spaces per unit

- Standard, side-by-side parked garages shall have a minimum clear floor area of 19'10" wide x 19'10" long. Openings shall be a minimum of 16 feet wide.

- Tandem-style garages (i.e. 2 spaces paired end-to-end) are permitted for up to 39 percent of the total homes, if justified by a parking study approved by the Planning Director. Each such garage shall have a minimum clear floor area of 11' wide x 36' long. Openings shall be a minimum of 9 feet wide.

3.4.5 FENCES, WALLS AND OTHER BARRIERS

- 42-inch high block walls with finish materials that are complementary to the materials of the townhomes shall be placed around all ground level patios facing streets.

- Up to 42-inch high brick or masonry walls, with a finish treatment that is complementary to the materials of the townhomes, shall be placed around all round-level patios. Walls may extend up to 6 feet in height between adjoining patios.

- Up to 6-foot high block walls with finish materials that are complementary to the materials of the townhomes shall be placed to screen all interior drives from public view.

3.4.6 SERVICE FACILITIES

- Loading/unloading for residents and trash pick-up services shall occur within the private alleys on site. Maximum time limits for such activities shall be restricted by private Covenants, Conditions and Restrictions to ensure adequate emergency vehicle access can be provided. On-street loading shall be prohibited.

3.4.7 LANDSCAPE AND WALLS PLAN

- A detailed landscape, irrigation and walls plan shall be submitted with the Development Plan for this block, specifying all landscape, hardscape and walls/fencing elements of

the private ground level patios and the common open space area, as well as the perimeter yards and alley screen walls abutting the street rights-of-way. The final plan shall also show the location of all ground level utility boxes and mechanical equipment, along with methods of screening such devices from the public right-of-way and adjacent residences, where possible. The landscape plan shall incorporate appropriate elements of the master plant palette for this PUD, set forth in Table 4-1 herein.

3.5 SUMMARY OF DEVELOPMENT STANDARDS

Tables 3-1 and 3-2, following, provide a summary of the quantitative development standards set forth in Sections 3.1 to 3.4.

3.6 ON-STREET PARKING, LOADING, VEHICULAR ACCESS AND BUS STOPS

On-street parking is provided throughout the project limits, as shown in Exhibit 3-11. This is a significant parking resource, as it will provide a majority of the guest parking opportunities for the apartments and townhomes in Blocks A2 and A3/A4. Loading areas for the condominiums in Blocks A1 and C1 and for the apartments in Block A2 must occur within the public streets, since there will be insufficient vertical clearance and maneuvering space within the parking structures for large trucks and other large delivery vehicles. Loading areas for each of these blocks will be determined by the Director of Public Works, in conjunction with approval of the Development Plan for each block. Potential driveway access locations for each block except B1 are shown on Exhibit 3-10. No driveways will be permitted on Block B1, unless a parking study prepared with the Development Plan for that block indicates that on-site parking is needed. All driveway locations and dimensions will be approved as part of the Development Plan for each block. Bus stops shown on Exhibit 3-10 are in their existing locations and, according to Omnitrans staff, these are expected to remain in these locations for the next several years, after relocation of the downtown transit center. Bus shelters and/or benches at these locations shall be provided in accordance with Omnitrans design criteria and approved as part of the overall Streetscape Master Plan, as required by Section 4.4.2 herein.

Table 3.1: Building Intensities, Access, Parking and Recreation Area Standards

Standards	Block A1	Block A2	Blocks A3/A4	Block B1	Block C1
Intensities	Commercial: 0.4 FAR, max. 36,000 sq. ft. gross floor area. Residential: 45-65 du/ac; max. combined FAR of 2.7.	Max. 65 du/ac; max. 160 apartments	25-35 du/ac; max. 140 town homes	Commercial: max. 10,000 sq. ft. ground floor restaurants, and max. 5,000 sq. ft. second floor mixed commercial space	Commercial: 0.4 FAR, max. 36,000 sq. ft. gross floor area. Residential: 45-65 du/ac; max. combined FAR of 2.7.
Maximum Building Heights (Feet/Stories)1	50 ft/4 stories-main roofline [2] 60-ft architectural projections [3]	50 ft/4 stories-main roofline [2] 60 ft-architectural projections [3]	40 ft/3 stories [2] 45 ft for architectural projections [3]	35 ft/2 stories	50 ft/4 stories-main roofline [2] ~~60~~65 ft-architectural projections [3]
Access and Parking Facilities	No more than 2 driveways on Lemon Ave and 2 on B St., as approved by the City Engineer. Commercial, residential and guest parking shall be on-site.	No more than one driveway on Lemon Ave and one on Palm Ave, as approved by the City Engineer. Resident parking on-site, guest parking on street. [4]	No more than 2 driveways on B Street, as approved by the City Engineer. Resident parking on-site, guest parking on street. 4	No driveway access to this block, unless on-site parking required, as determined in parking study submitted with Development Plan.	No more than one driveway on C Street and Lemon Avenue ~~and 2 on D Street~~, as approved by the City Engineer. Commercial, residential and guest parking shall be on site.
Parking Supply & Design	Commercial: 1 space/250 sq. ft. GFA. ~~Max. 30 percent compact spaces.~~ Tandem spaces are prohibited. Residential: 1.2 spaces/bedroom, incl. guest parking. Max. 20 percent tandem spaces. See Exhibit 3-8 for typical parking structure layout and key dimensions.	1.5 spaces/one bedroom units 2 spaces/2-bedroom unit. Guest parking on street ~~Max. 31 percent total may be compact spaces.~~ Max. 28 percent total may be tandem spaces. See Exhibit 3-9 for typical parking layout and key dimensions.	2 garage spaces/ unit. Tandem parking allowed in max. 39 percent all homes. Standard Garage 19'10" x 19'10", with 16-foot wide opening Tandem Garage 11'x 36' clear space, with 9-foot wide opening	None required, unless on-site parking is required as determined in parking study submitted with Development Plan. If required, on-site parking spaces shall be designed in accordance with the Ontario Development Code.	Commercial: 1 space/250 sq. ft. GFA. ~~Max. 30 percent compact spaces.~~ Tandem spaces are prohibited. Residential: 1.2 spaces/bedroom, incl. guest parking. Max. 20 percent tandem spaces. See Exhibits 3-8 for typical parking layout and key dimensions.
Private and Common Recreation Area	Private Outdoor Space: Min. 90 sq. ft./unit, of which up to 20 percent shall have a min. dimension of 3-ft and 80 percent of which shall be at least 7-ft long. Corner Units shall have a min. of 50 sq. ft., with min. 3-ft	Private Outdoor Space: Min. 50 sq. ft. /unit, with a min. dimension of 5 ft. Common Area on Podium Level: Min. 125 sq. ft./unit. Up to 20 percent of this may be provided by indoor recreation	Private Outdoor Space: Min. 90 sq. ft./unit at ground level, with a minimum dimension of 7 feet. Corner Units shall have a min. of 50 sq. ft. Common Area: Min. 230 sq. ft./unit. Up to 20 percent of this may be provided by indoor	None required.	Private Outdoor Space: Min. 90 sq. ft./unit, of which up to 20 percent shall have a min. dimension of 3-ft and a min. of 80 percent of which shall be at least 7-ft long. Corner Units shall have a min. of 50 sq. ft., with min. 3-ft

Standards	Block A1	Block A2	Blocks A3/A4	Block B1	Block C1
	dimension. Common Area on Podium Level: Min. 200 sq. ft./unit. Up to 20 percent of this total common area may be provided by indoor recreation facilities.	facilities.	recreation facilities.		dimension. Common Area ~~on Podium Level~~: Min. 200 sq. ft./unit). Up to 20 percent of this total common area may be provided by indoor recreation facilities.

Notes:

1 Temporary construction and/or maintenance equipment may extend to 122 feet above the existing ground level, in any block.

2 Measured from highest existing sidewalk elevation adjacent to the site.

3 Includes elevator towers, cupolas, clocks, and other architectural projections and focal elements.

4 Parking is prohibited on Holt Boulevard.

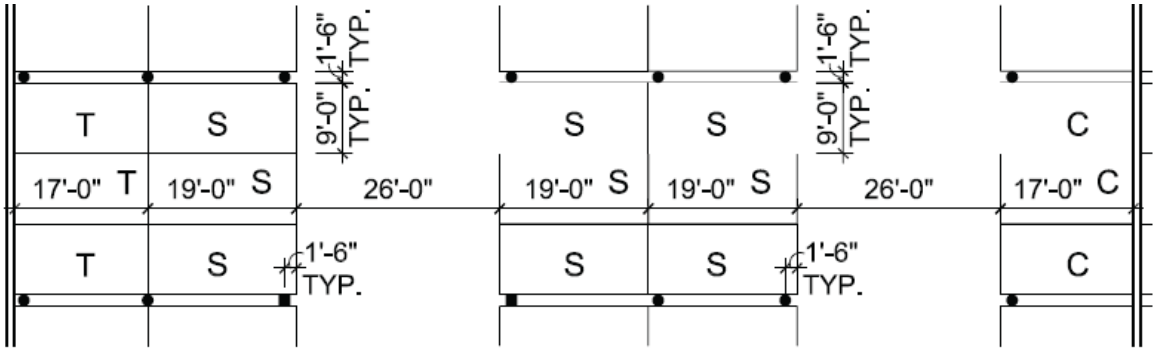
Table 3.2: Building Setbacks and Permitted Projections into Public Rights-of-Way

	Block A1	Block A2	Block A3/A4	Block B1	Block C1
Minimum Setbacks To Main Buildings (From Property Line)					
Holt Boulevard	Build to max. 3' from property line*	13'6"	2'6" for corner units and 5'6" for others	N/A	N/A
Euclid Avenue	Build to max. 3' from property line*	N/A	N/A	Build to max. 2' from property line	Build to max. 3' from property line*
B Street			10'	Build to max. 2' from property line	N/A
Lemon Avenue	5' ***	2'6" at lobby entrance, 11' for main building	N/A	N/A	4' ***
C Street	N/A	5' **	10'	Build to max. 2' from property line	4'6" **
Plum Avenue	N/A	2'6" at lobby entrance, 12'6" for main building	6'0" for corner unit, 13'6" for others	N/A	N/A
Sultana Avenue	N/A	N/A	3'0" for corner unit, 10'6" for others	N/A	N/A
D Street	N/A	N/A	N/A	N/A	Build to max. 3' from property line.*
* Residential balconies may extend up to 4 feet into the street right-of-way. ** Pilasters, columns and similar projections may extend 6 inches beyond the building face, for up to 15 percent of the street frontage. *** Pilasters, columns and similar projections may extend 6 inches beyond the building face, for up to 20 percent of the street frontage.					
Awnings, Canopies, Signs And Other Projections Into Public Right-Of-Way					
Euclid Avenue	7'	N/A	N/A	7'	7'
Holt Boulevard	6'	None	None	N/A	
B Street	2'	None	None	N/A	
C Street	N/A	N/A	None	1'0"	2'
D Street	N/A	N/A	N/A	1'6"	2'
Lemon Avenue	1'	None	N/A	2'6"	1'
Plum Avenue	N/A	None	N/A	2'0"	
Sultana Avenue	N/A	N/A	None	N/A	

	Block A1	Block A2	Block A3/A4	Block B1	Block C1
* Residential balconies at Blocks A1 and C1 (2nd floor and up) may extend up to 4 feet into the airspace of the Euclid Avenue and Holt Blvd. rights-of-way. Along other frontages and on other blocks, balconies may extend up to 4 feet into the street setback.					
Minimum Setbacks To Private, Patios, Balconies, And Alley Screen Walls (From Property Line)					
Euclid Avenue	N/A	N/A	N/A	N/A	N/A
Holt Boulevard	N/A	8'6"	Alley walls: 2'6" at corner units, otherwise 3'0"	N/A	N/A
B Street	N/A	5'6"	Patio walls: 3'0"	N/A	N/A
C Street	N/A	N/A	N/A	N/A	N/A
D Street	N/A	N/A	N/A	N/A	N/A
Lemon Avenue	N/A	3'6"	N/A	N/A	N/A
Plum Avenue	N/A	5'0"	Private patio walls: 6'6" Alley wall: 6'6"	N/A	N/A
Sultana Avenue	N/A	N/A	Private patio walls: 3'0" Alley wall: 3'0"	N/A	N/A
Cornices, Eaves and Similar Architectural Features					
Euclid Avenue	30" into ROW	N/A	N/A	30" into ROW	30" into ROW
Holt Boulevard	30" beyond building face	24" beyond building face	24" beyond building face	N/A	N/A
B Street	30" beyond building face	24" beyond building face	24" beyond building face	30" (ROW)	N/A
C Street	N/A	N/A	N/A	30" (ROW)	30" beyond building face
D Street	N/A	N/A	N/A	N/A	30" beyond building face
Lemon Avenue	30" beyond building face	24" beyond building face	N/A	N/A	30" beyond building face
Plum Avenue	N/A	24" beyond building face	24" beyond building face	N/A	N/A
Sultana Avenue	N/A	N/A	24" beyond building face	N/A	N/A

Block A2		Block A3/A4		Block C1	
Corner	**Setback**	**Corner**	**Setback**	**Corner**	**Setback**
Minimum Setbacks To Main Building (At Corner Right-Of-Way)*					
Holt/Lemon	9'0"	Holt/Plum	2'6"	Euclid/C Street	3'0"

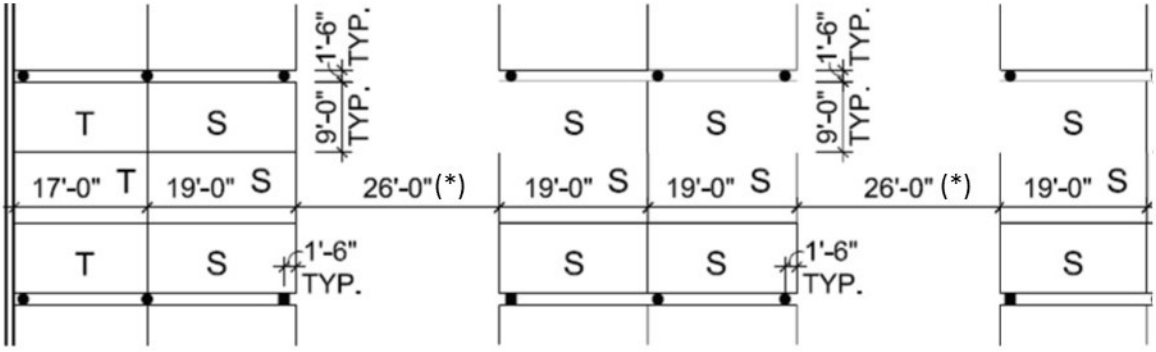
Block A2		Block A3/A4		Block C1	
Corner	**Setback**	**Corner**	**Setback**	**Corner**	**Setback**
Holt/Plum	14'6"	Holt/Sultana	3'6"	Euclid/D Street	1'6"
Lemon/B Street	7'6"	B Street/Plum	8'6"	Lemon/C Street	1'6"
B Street/Plum	10'0"	B Street/Sultana	5'0"	Lemon/D Street	1'0"
Minimum Setbacks To Private Patios And Balconies (At Corner Right-Of-Way)*					
Holt/Lemon	4'0"	Holt/Plum	2'6"	Euclid/C Street	3'0"
Holt/Plum	8'6"	Holt/Sultana	3'0"	Euclid/D Street	1'6"
Lemon/B Street	2'0"	B Street/Plum	4'6"	Lemon/C Street	1'6"
B Street/Plum	7'0"	B Street/Sultana	4'6"	Lemon/D Street	1'0"
* To be defined with Development Plans for Blocks A1 and B1					



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Standard Structured Parking Dimensions for Blocks A1 and C1
Downtown Civic Center P.U.D.

Exhibit 3-9

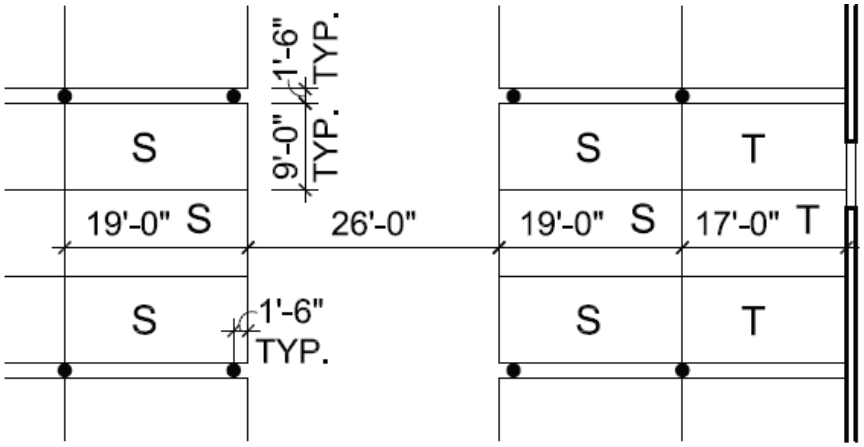


(*) Drive aisle may be reduced to 24'-0" with Development Advisory Board approval

Standard Structured Parking Dimensions for Blocks A1 and C1

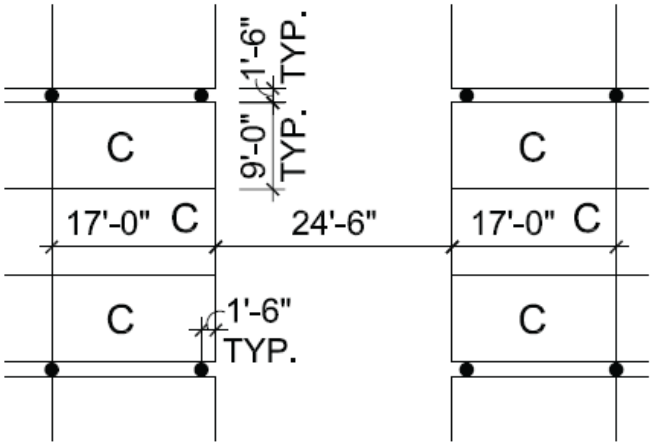
Downtown Civic Center P.U.D.

Exhibit 9



Standard Tandem

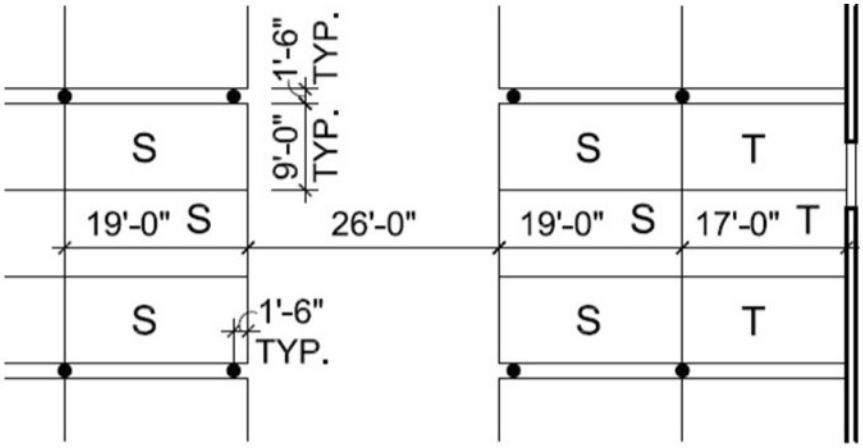
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Compact Compact

Standard Structured Parking Dimensions for Block A2
Downtown Civic Center P.U.D.

Exhibit 3-10



Standard Tandem

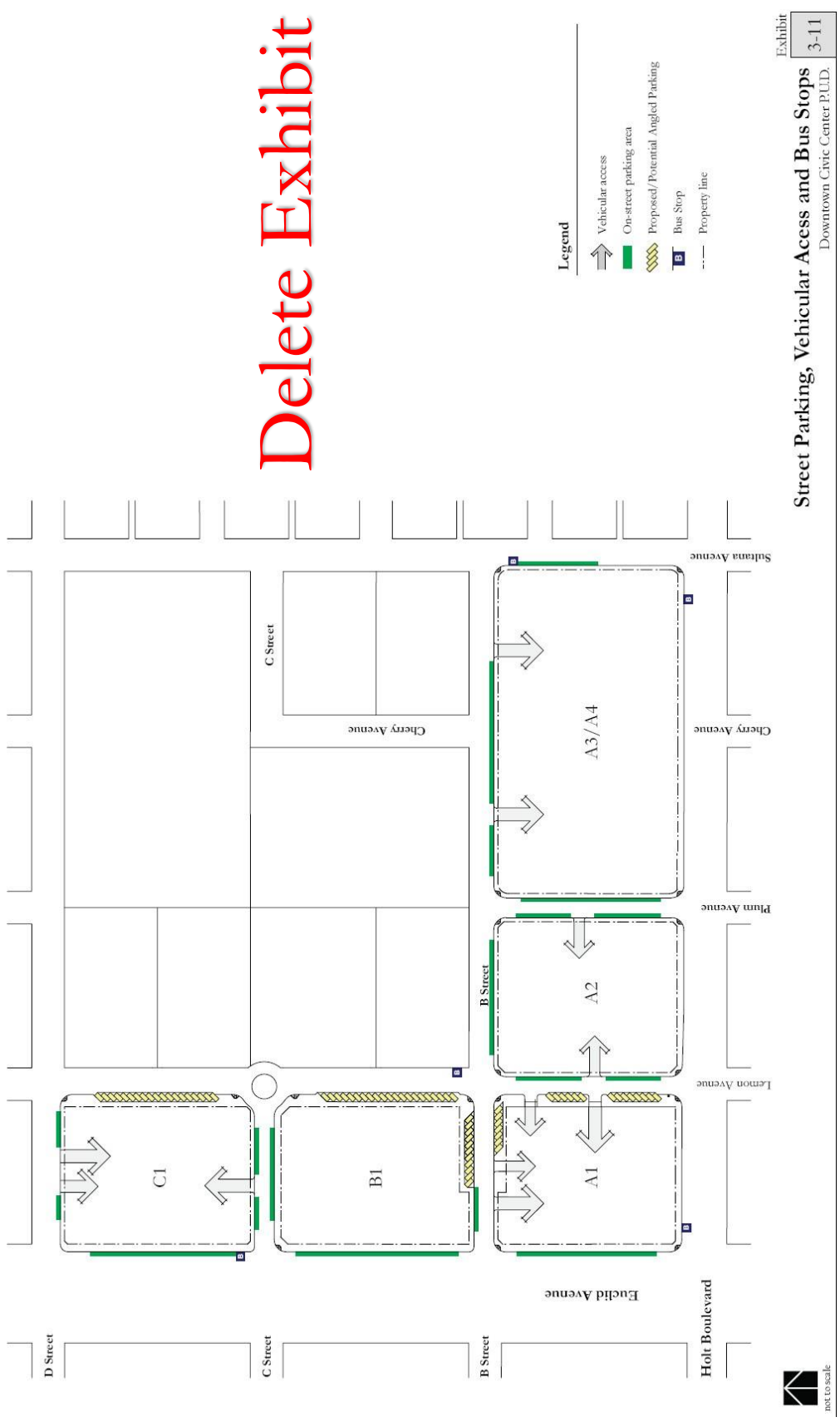
(*) Drive aisle may be reduced to 24'-0" with Development Advisory Board approval

Standard Structured Parking
Dimensions for Block A2
Downtown Civic Center P.U.D.

Exhibit 128

F

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not to scale

Street Parking, Vehicular Acess and Bus Stops

Downtown Civic Center P.U.D.

Exhibit 3-11

3.7 HISTORIC PRESERVATION

3.7.1 HISTORIC PROPERTIES

The following properties (see Exhibit 3-11) have been designated by the City as historically significant, and shall be retained in place and restored, the façade retained only, or demolished.

- 112 N. Euclid Ave.: Preserve façade. Cataloging required.
- 122 N. Euclid Ave.: Preserve façade. Cataloging required.
- 128-136 N. Euclid Ave: Preserve façade. Cataloging required.
- 200 N. Euclid Ave. : Retain/Restore
- 208-214 N. Euclid Ave: Tier II--Façade not intact. To be demolished; mitigation fee and cataloging required.
- 224 N. Euclid Ave.: Tier III—To be demolished; mitigation fee required.
- 226 N. Euclid Ave.: Tier III—To be demolished; mitigation fee and cataloging required.
- 230 N. Euclid Ave.: Tier III—To be demolished; mitigation fee and cataloging required.
- 310 N. Euclid Ave.: Tier II—Façade not intact. To be demolished; mitigation fee and cataloging required.
- 318 N. Euclid Ave.: Tier III—To be demolished; mitigation fee and cataloging required.
- 206 E. "B" St.: Tier III—To be demolished; mitigation fee and cataloging required.
- 310 E. "B" St.: Tier III—Previously demolished. Mitigation fee and cataloging complete.
- 330 E. "B" St.: Tier III—Previously demolished. Mitigation fee and cataloging complete.
- 325 E. Holt Blvd.: Tier III—Previously demolished. Mitigation fee and cataloging complete.
- 127 N. Sultana Ave.: Tier III—Previously demolished. Mitigation fee and cataloging complete.

The Ontario Downtown Civic Center Project EIR (October 2004, State Clearinghouse No. 2004051155) reviewed the impacts to historic structures within the Downtown Civic Center Project area. The EIR included a number of mitigation measures to lessen the cultural resource impacts from demolition and/or façade retention of historic structures within the project area, which included documentation (cataloging), salvage of significant features, and payment of a demolition mitigation fee. Despite these mitigation measures, the EIR concluded that demolition and/or façade retention of Tier I and Tier II historic properties were significant impacts that could not be reduced to a level of less than significant and, therefore, the EIR was certified by the City Council on November 16, 2004 with a Statement of Overriding Considerations for Cultural Resources.

The EIR requires preservation in place of Tier I structures and façade retention of Tier II structures including the Tier II – designated Drew Carriage Building (208-214 N. Euclid Ave.) and the Tier II – designated Old Fire House (316 N. Euclid Ave.). Since further analysis revealed that the original façade of the Old Fire House does not exist and the original façade of the Drew Carriage Building has been significantly altered and no longer retains its character-defining features, there is no original fabric left intact to preserve for these 2 buildings.

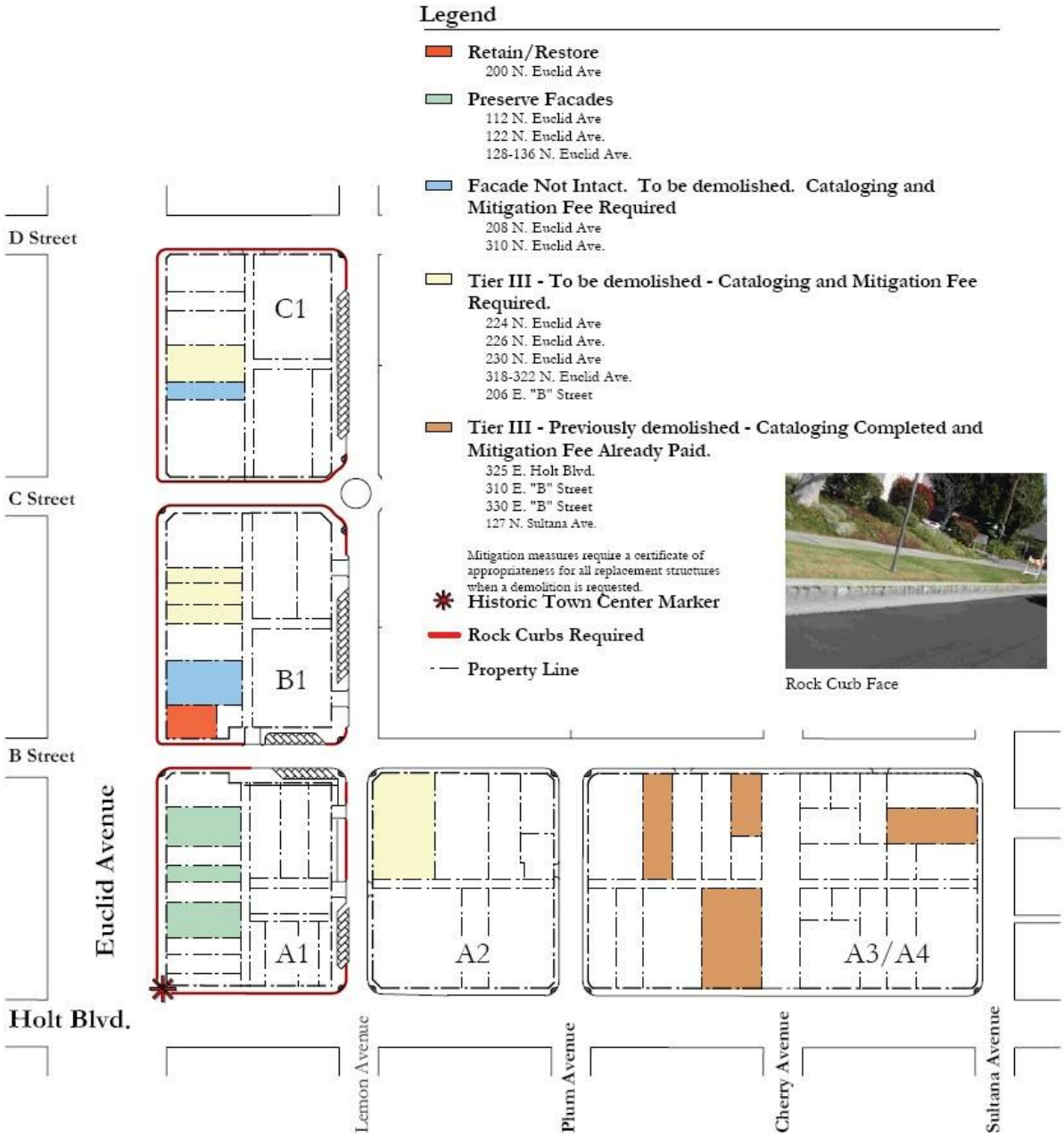
3.7.2 HISTORIC ROCK CURB

The 200-foot wide Euclid Avenue corridor (including the broad center median) is one of the most significant elements of the historic fabric of Ontario, and is listed as a historic district on the National Register of Historic Places~~landmark~~.

Portions of the original rock curb face remain in several areas of Ontario's historic core and are considered essential features that maintain the integrity of the historic character of this corridor (see Exhibit 3-11). Within the subject project limits, no original rock curb face exists ~~shall be preserved~~ along Euclid Avenue, and ~~additional rock curb face of materials that match the original materials shall be constructed to provide a continuous rock curb face along the entire Euclid Avenue frontage, and all street frontages adjoining Blocks A1, B1 and C1~~reconstruction of rock curb within the project area shall not be required .

3.7.3 EUCLID/HOLT HISTORIC MARKER

The intersection of Euclid Avenue and Holt Boulevard is the geographic center of the original Ontario town center and as such is a highly significant location within the historical fabric of the community. To recognize and permanently memorialize this significant site, a historical marker shall be erected within the corner sidewalk area, with the approval of Caltrans. Marker design and precise location shall be approved by the Historical Preservation/Planning Commission as part of the precise Development Plan application.



Delete Exhibit

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Historic Features - Plan View
Downtown Civic Center P.U.D.

Exhibit 3-12



not to scale

Historic Features - Plan View

Downtown Civic Center P.U.D.

Exhibit 134



Bank of Italy historic photo



Bank of Italy current photo showing south side of building



Commercial Hotel - Historic photo from the 1960's showing front of building



Commercial Hotel - Current photo showing front of building



Citizen's National Bank - Current photo showing front of building (No clear historic photo available)



Lerch Building - Historic Photo



Lerch Building - Current photo showing front of building

not to scale

Photos of Historic Properties

Downtown Civic Center P.U.D.

Exhibit 3-13

3.8 ENVIRONMENTAL PERFORMANCE STANDARDS

All land uses shall adhere to the environmental performance standards set forth in the Ontario Development Code, to avoid and minimize impacts involving noise, vibration, dust and paint, smoke, light, glare and heat, odors and gasses, hazardous and radioactive materials, and electromagnetic interference.

Architectural plans for all residential uses shall be submitted to the City of Ontario Building Department for an acoustical plan check, prior to the issuance of building permits, to assure that construction methods use standard materials that will attenuate 20 dBA of sound from outside to inside, or such that indoor noise does not exceed 45 dBA.

Pursuant to AB 2776 and Mitigation Measure Haz 9 in the Downtown Civic Center Project Final EIR, project developers shall disclose to all home buyers and renters that their homes are in proximity to Ontario International Airport.

Pursuant to Mitigation Measure Util 4 in the Downtown Civic Center Project Final EIR, each project Development Plan should consider and incorporate appropriate sustainable water and energy systems.

The full set of programmatic mitigation measures from the Downtown Civic Center Final EIR that are applicable to this PUD is provided in Appendix B.

4.0 DESIGN GUIDELINES

Purpose and Principles

Located entirely within the central core of the Downtown area, this PUD is considered an integral element of the urban revitalization of the historic retail and civic center areas. A considerable amount of effort has occurred to prepare a comprehensive set of design guidelines for the downtown area, to maintain the historic fabric and achieve excellence and coherence in the quality and character of the ongoing redevelopment of the center city area. Design principles and examples of desired styling elements to guide the redevelopment/revitalization program are set forth in the Downtown Ontario Design Guidelines ("Guidelines"), adopted by the Ontario City Council on August 18, 1998. This section is intended to provide guidance to City staff and private developers in the design of buildings, yards, and streets in a manner that fosters a flexible implementation of the principles and specific techniques described in those Guidelines. As such, some variations from the Guidelines are permitted, provided that the integrity of the urban design and historic preservation principles is not compromised.

A comprehensive assessment of historic properties throughout the downtown area has been completed and for the most part, this PUD does not contain significant buildings, structures or sites to be preserved. While there are a few properties along Euclid Avenue where preservation efforts will be necessary, a majority of this project will involve new construction and redevelopment of existing developed block areas. Ideally, such new infill development will complement and exemplify historic elements, while providing a fresh palette of architectural features that creates a more dynamic visual environment and a more pleasant pedestrian experience.

Because of the increased building intensity of this urban infill project, the relationship of buildings to the streets will be significant and must be treated creatively. It will be essential to provide a sense of movement and rhythm through a variety of articulation methods, materials and colors, to avoid bulky and monotonous elevations. This principle is to be applied to each of the blocks. Street trees and landscaped street-facing yards will provide opportunities to frame the street, create a pleasant pedestrian pathway and to reduce the impact of building bulk from the public rights-of-ways. A Civic Plaza park and a thematic program for street signs, furniture, markers, monumentation, banners, etc. will establish unifying elements that will immediately set the tone for the public spaces of the new downtown.

4.1 EUCLID AVENUE MIXED USE (BLOCKS A1 AND C1)

Design principles and desired architectural features for the mixed-use blocks are derived from the Turn of the Century architectural style and elements set forth in Section 3.5.3 of the Downtown Design Guidelines, with respect to: setbacks, storefront modulation, entrances, roof design, mechanical equipment, building elements (cornices, storefront frame, mid-floor panel, transom windows, bulkheads), awnings, materials and colors. Those guidelines, together with the following, shall be incorporated into the Development Plans for each block, subject to final interpretation by the Planning Commission and City Council.

Building Orientation

- Buildings must provide continuous commercial use and store fronts along Euclid Ave.

- Orient buildings to define the street and sidewalk, with service and parking generally positioned away from public streets, and toward the side and/or rear of buildings; a "building forward" design concept with buildings located near the sidewalk edge is required. Setbacks from the sidewalks are generally discouraged, except for such features as a "welcoming" recessed entry, a useable outdoor gathering space, etc.

- Buildings should be sited so that architectural focal treatments can be provided at strategic locations.

- Buildings located at prominent street corners shall be designed to incorporate architectural features that respond to these special locations, such as corner entries and corner tower elements.

- Incorporate multiple shop entrances and display windows with clear glazing along street facades, as well as facades oriented toward outdoor gathering spaces (i.e. plazas); windows and doors should introduce visual interest along the sidewalk, and create a pedestrian friendly street environment.

Access & Parking Facilities

- Control vehicular access and on-site parking to reduce their visual impact along streets, and protect adjacent land uses; in particular, on-site parking facilities shall be located to the side and/or rear of the building, and driveways shall be located to the side and/or rear of the buildings and minimize curb cuts.

- Parking structures shall not front directly onto Euclid Avenue.

- Parking structures fronting Lemon Street should have attractive facades that are compatible with the surrounding buildings. The design should employ similar colors, materials and details as are used on adjacent facades.

Service Facilities

- Locate service, loading and storage facilities away from public streets, outdoor spaces, and adjacent residential uses; as far as feasible, these facilities should be unobtrusive.

- Prohibit placement of utility transformer boxes within parking structure.

- Electrical equipment shall be mounted on the interior of a building wherever practical. When interior mounting is not practical, electrical equipment shall be enclosed and screened from public streets with walls, fencing and/or landscaping that allows for sufficient ventilation, or buried in vaults.

- No antenna pole or dish shall be placed on any structure so that it is visible from ground level.

- Service areas shall be screened, gated and as unobtrusive as possible.

- No garage type loading doors shall be located on a building façade directly facing an accessible street. All types of loading doors within view of public streets shall be screened with walls, berms or plant material.

Pedestrian Linkages (Sidewalks & Walkways)

- Locate pathways for clear and comfortable on-site pedestrian circulation; sidewalks and pedestrian paths should provide convenient and comfortable connections between storefronts, outdoor spaces, parking, as well as portals to adjacent residential uses. It is especially important to provide multiple, clearly marked and direct pedestrian pathways that connect rear parking areas with sidewalks and street oriented shop fronts.

- Use Landscape elements to reinforce pedestrian connections; for instance, attractive paving and planting design may identify and highlight these connections by establishing a visual separation between vehicular and pedestrian routes.

- Place site accessories and features so that they do not interrupt connecting walkways and paths, in general, sidewalks and paths should provide for a minimum 6-foot clear pedestrian passage (or min. 4' adjacent to approved outdoor dining areas and street trees).

- Provide adjacent sidewalks with street trees, pedestrian-scaled light fixtures and street furniture.

- Entries to upper floor residential uses shall be from the side or rear of the block, and if on a side street, the visible entry shall be no wider than 15 feet at the street level, to avoid disturbing the rhythm of the retail spaces.

Architectural Character

- Create an architectural character that reflects the various styles within the historic downtown by using similar proportions, building details and building material.

- New buildings should appear to fit in contextually with existing historic buildings by using similar proportions, articulation, building details and building material.

- The overall character should feel like a modern interpretation of a traditional American small town.

- Create compatibility between the mixed-use architecture and the residential architecture within the downtown area; the introduction of unifying elements such as similar materials and colors should be considered; however, "sameness" is discouraged.

- A schematic illustration of an acceptable set of elevations is shown in Exhibit 4-1.

Massing & Scale

- Employ simple, yet varied massing, with wall openings that create shadow line and provide visual relief. Monolithic buildings and extensive blank wall surfaces are not allowed.

- Emphasize massing and height of corner elements

- Building increments should be a maximum of 50 feet in width. Buildings that exceed fifty
- (50) feet of frontage should use various architectural devices to replicate the building increments and pattern of the existing downtown such as:
- Horizontal breaks and offsets every 25 to 50 feet
- The upper portion of the buildings should reflect the same increment of articulation as the ground level (storefront level)
- The cornices and moldings at the top of facades should also reflect the vertical massing (increments) of the building
- Use strong and identifiable building forms to demarcate street intersections for instance, a taller building mass, tower element/clock tower, or cupola may be considered.
- Where adjacent buildings will be of varying heights, they should be sensitively designed to promote a compatible transition in massing and avoid abrupt changes in scale along the streetscape.

Articulation & Fenestration:

- Design buildings with 3-dimensional quality; building facades should be based upon a pleasing set of proportions and a clear pattern of building openings.
- Differentiate between the base, middle and top levels of a building; for instance, street- oriented shops may feature a 1) a bulkhead; 2) display windows; and 3) transom and detailed cornice.
- Avoid monotonous or blank facades on a building; buildings shall be articulated on all sides. Use fenestration (windows and doors), as well as changes in wall plane, material, texture, color, etc. to create shadow lines and articulate building walls.
- Provide highly visible public entrances, preferably oriented to streets and outdoor spaces; shop entrances may be clearly expressed with recesses, overhangs, special materials, and/or detailing.
- Require a high degree of street level transparency, especially along sidewalks, important outdoor spaces and heavily trafficked areas; the use of reflective, opaque, and darkly tinted glass should be restricted.



D Street Elevation



C Street Elevation



Lemon Avenue Elevation



Euclid Avenue Elevation

Exhibit 4-1

Mixed Use Architectural Character

Downtown Civic Center P.U.D.

not to scale

Architectural Details

- Use architectural details to enhance a building's appearance. Careful detailing is especially appropriate at the base of buildings, along cornices, eaves, parapets or ridge tops, and around entries and windows.

- Incorporate human-scaled details such as canopies and awnings, transparent windows and windows displays. These are required at public entrances and along heavily trafficked outdoor areas.

- Design architectural features and details as an integral part of the building; architectural features, including canopies and awnings, should not appear "tacked-on."

Storefront Guidelines

- Storefronts should provide an individual look for each store or establishment while still blending in with the overall design.

- Storefronts shall incorporate high quality building materials. A durable base material (18 inches high min.) such as brick, tile, exterior cement plaster, or pre-cast architectural concrete shall be used. Storefront glazing and exterior plaster shall not terminate at the ground plane.

- Storefront glazing shall be clear glass to permit clear views into the interior space. The amount of such glass shall provide a balance between high visibility into the store interior and architectural character/quality.

- Entrance doors shall be of a traditional style and transparent as possible; however, an all glass door is prohibited.

- No part of any open doors shall extend into the public right-of-way.

- Storefront openings should not exceed 30 feet in width without the interruption of a vertical building element (column or wall).

- Storefront openings may extend up to 16 feet in height; the height should range from 8 to 16 feet.

Material & Colors

- Use materials that exhibit permanence and quality, and that unify a building's appearance on all sides; materials and colors should accentuate the architectural details of the building and promote visual harmony. Brick, tile, pre-cast architectural concrete, stone veneers or stucco are preferred.

- To create visual interest, use at least 3 different building materials for each block. Materials may be used to highlight a building entrance or distinguish the building base.

- Any awnings shall be comprised of durable, heat, dust and mildew-resistant canvas materials that are designed to withstand the rigors of the Ontario climate. Vinyl or other shiny materials are prohibited.

Roofs/Rooftop Equipment

- Express roofs in a visually interesting manner that complements the composition of the building and surrounding area, (i.e. use sculpted roof forms or a strong and attractively detailed cornice).

- Locate and/or screen rooftop equipment, including ladders and antenna devices, so that it is not visible from streets and adjacent buildings; methods of rooftop screening should be integral to the building's form.

- All mechanical units shall be screened from public view and from adjacent existing buildings (preferably with roof forms).

- When roof decks and mechanical units are visible from adjacent developments, they should be as unobtrusive as possible and painted to match finish roof material.

Outdoor Dining Areas

- Outdoor dining areas adjacent to a street level eating or drinking establishment are encouraged along Euclid Avenue and are permitted along any street frontage. Any such areas shall be designed in accordance with the provisions set forth in Section 2A.7 of the Downtown Ontario Design Guidelines, plus any additional features that may be required as part of a Conditional Use Permit for on-sale alcoholic beverages. Outdoor dining along Euclid will require an agreement with the California Department of Transportation, since this is street is within a State right-of-way.

Outdoor Space

- Private balcony enclosures shall be comprised of materials that are complementary to materials and colors used for the main elevations. Each balcony shall be enclosed sufficiently to provide privacy between balconies of adjacent units. Any communications antennas placed within a balcony shall be screened.

- Common outdoor spaces, especially on the podium level, shall provide opportunities for social interaction and passive recreation, with shading elements to counteract the summer sun. An indoor recreation/fitness/community facility shall be provided within this central common area, with architectural style and materials that match or complement the primary building architecture. Landscaping shall be provided to define and enrich courtyards and walkways, and shall include specimen trees with drainage outlets that do not affect usable recreation space. Outdoor seating, tables and umbrellas, gazebos, barbeques, natural ~~or artificial~~ lawn area, and/or other place-making features are to be provided, and shall be compatible with the architectural style of the project. Hardscaping shall be composed of decorative paving materials and patterns, rather than a single, continuous surface. Outdoor common areas should be designed to be visible for surveillance by residents and police patrol units, if possible. A detailed plan for the common area open space shall be submitted as part of the Development Plan application for each of the mixed-use blocks.

Signs

- All commercial signs shall be designed in accordance with the criteria set forth in Section 2C of the Downtown Ontario Design Guidelines.

Lighting

- All lighting of facades, decorative fixtures, store window interiors, awnings, and signs shall be designed in accordance with the criteria set forth in Section 2D of the Downtown Ontario Design Guidelines.

4.2 CIVIC PLAZA (BLOCK B1)

Any new construction shall be designed to be compatible with the historical elements of the Bank of Italy Building to be retained at the southwest corner of this block, and shall be consistent with the design guidelines for the Mixed Use blocks, set forth in Section 4.1.

4.3 HOLT BOULEVARD RESIDENTIAL

4.3.1 APARTMENTS (BLOCK A2)

Building Orientation

- The buildings should be oriented to reinforce the urban grid of the street pattern in downtown Ontario. As many units as possible should be oriented to the street to help create an active streetscape. Dwelling units not facing the street should be oriented around a central courtyard. The podium level common area shall contain shared recreational elements (such as pools, spas, barbeques, picnic areas etc) for all of the residents to use.

Architectural Character

- Design buildings that complement the architectural character of the surrounding commercial and residential areas and support a pedestrian environment.
- Buildings should be designed to be viewed from all sides, including, public areas, common open space areas, sidewalks, alleys and streets. It is required that all 4 buildings elevations should share common materials and degrees of articulation.
- A schematic illustration of an acceptable set of elevations is provided as Exhibit 4-2.

Massing and Scale

- A maximum of 3 visible stories of living space and one visible story of parking structure below living space will define this building's block.
- Building heights and mass shall be sufficient to ensure compatibility among the various housing products and the surrounding commercial uses.

- Roof lines should be varied through the use of stepped roofs, towers or other roof elements
- A variety of stacked massing arrangements should be used to create visual interest.
- Long blank walls should be broken up with architectural elements that add visual interest and enhance the character of the neighborhood. Architectural features such as setbacks, indentations, overhangs, projections, cornices, balconies can be used to create interesting building facades.
- The mass of the building should step down at the corners and entries to provide a greater definition of the building.
- Improve the articulation of the plan forms by offsetting upper floor and wall planes.
- There shall be no more than 2 adjacent balconies on any single plane.

Articulation and Fenestration:

- A minimum of 15 percent of the entire horizontal length of any building elevation should be articulated by varying the form or footprint and/or by introducing architectural elements and/or projections.
- Major building entries shall be clearly marked with architectural elements such as porches, arcades, ornamental lighting, landscaping and other elements.
- Building offsets/setbacks should be a minimum of 12 inches in depth and 12 inches in width.
- Balconies may be covered or open but should be an integral element of the building using details such as eaves, supports and railings.

Architectural Details

- Introduce architectural treatments at the base of the building to distinguish it from the top; this can be accomplished through the use of textured materials, variations in color and enriched landscaping.
- Architectural details should be consistent with the architectural style, materials and colors of the building.
- Within the appropriate style requirements, group and coordinate windows with other design elements to create a composition and sense of order.
- Multi-Paned windows are encouraged if appropriate to the style.



Exhibit 4-2

Apartment Architectural Character
Downtown Civic Center P.U.D.

not to scale

Material and Colors

- Employ high quality materials that are durable, lasting and aesthetically appealing.

- The use of complementary colors and changes in materials can add visual interest to a building; however, to avoid a false appearance, texture or color changes should not occur at external corners.

Screening of Parking Structure

- Where parking structure elements are visible from the street they shall be screened with landscape and/or architectural solutions, without conflicting with ventilation requirements set forth in the City's Mechanical Code. The method of screening shall be compatible with the overall architecture and landscaping themes. Any berms employed for screening shall not exceed a 2:1 slope and shall be appropriately landscaped with materials selected from the master plant palette (see Table 4-1). Exhibit 4-3 illustrates a preferred approach to screening of the parking structure.

- Visible parking structure elevation shall be finished in the same style as the primary buildings, with compatible materials. This will help integrate the structure into the overall project design while reducing its visual impact.

Roof Top and Ground Level Mechanical Equipment

- All mechanical equipment, whether mounted on the roof or ground, shall be screened from view. Rooftop equipment shall be screened from public rights-of-way and adjacent, existing buildings. Utility meters and equipment should be placed in locations that are not exposed to view from open areas or they should be suitable screened. All screening devices are to be compatible with the architecture and colors of the nearest main building.

Outdoor Space

- Private balcony enclosures shall be comprised of materials that are complementary to materials and colors used for the main elevations. Each balcony shall be enclosed sufficiently to provide privacy between balconies of adjacent units. Any communications antennae placed within balconies shall be screened.

- Common outdoor spaces ~~on the podium level~~ shall provide opportunities for social interaction and passive recreation, with shading elements to counteract the summer sun. An indoor recreation/fitness/community facility shall be provided within this central common area, with architectural style and materials that match or complement the primary building architecture. A variety of landscaping elements shall be provided to define and enrich courtyards and walkways. Specimen trees shall be provided, each with drainage outlets that do not affect usable recreation space. Outdoor seating, tables and umbrellas, gazebos, barbeques, natural or ~~artificial~~ lawn area, and/or other place-making features are to be provided, and shall be compatible with the architectural style of the project. Hardscaping shall be composed of decorative paving materials and patterns, rather than a single,

continuous surface. Outdoor common areas should be designed to be visible for surveillance by residents and police patrol units, if possible. A detailed plan for the common area open space shall be submitted as part of the Development Plan application for this block.

Landscaping

- Yards abutting the street frontages shall be landscaped with a uniform mixture of materials selected from Table 4-1 that provides a variety of vertical elements. Selection and placement of trees and shrubs shall ensure that adequate visibility into the parking structure is available for passing police patrol units.

- Any manufactured slopes shall not exceed a 2:1 slope and shall be landscaped with materials selected from the master plant palette set forth in Table 4.1 herein.

4.3.2 TOWNHOMES (BLOCKS A3/A4)

Building Orientation

- Where possible, townhome units should orient to the surrounding streets or interior open space elements.

- Every unit should have a porch/patio with an entry that overlooks and is directly accessible from the street or interior open space.

- The configuration of buildings, streets, parking, open space and landscaping must balance the needs of the pedestrian and automobile. Parking should not dominate the experience along any required path.

Architectural Character

- Design buildings that complement the architectural character of surrounding commercial and residential areas and support a pedestrian friendly environment.

- Buildings should be designed to be viewed from all sides, including, public areas, common open space areas, sidewalks, alleys and streets.

- Schematic illustrations of acceptable elevations are presented in Exhibit 4-4.

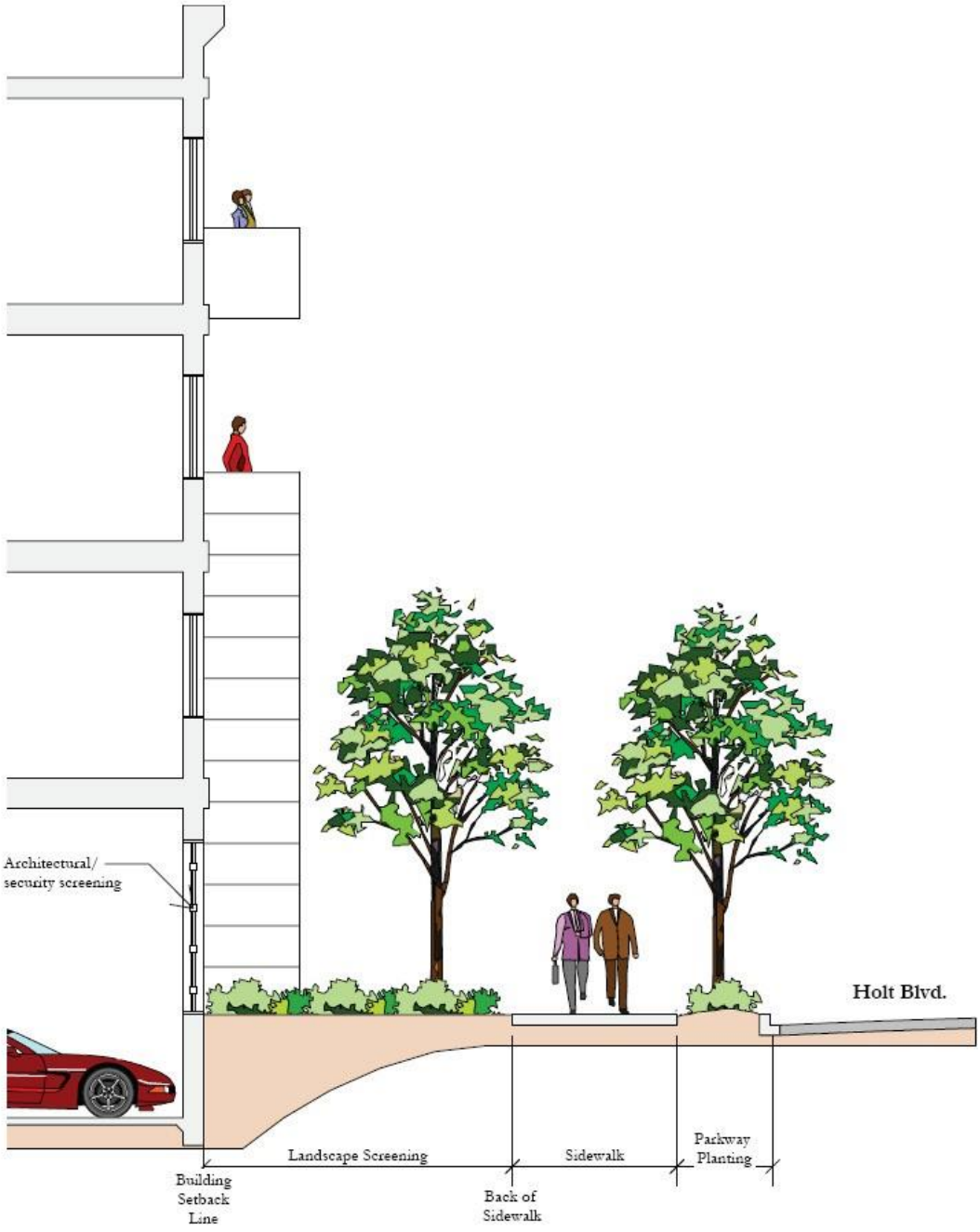
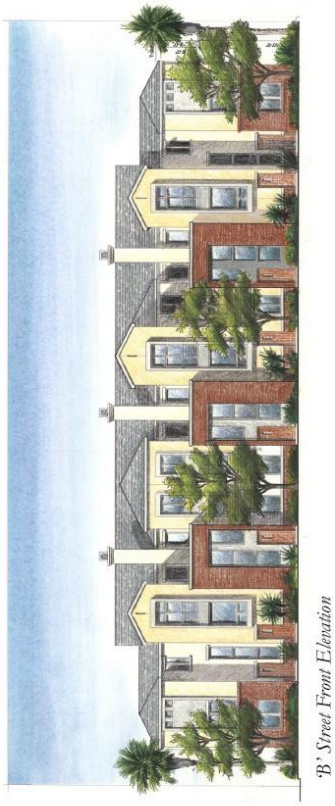


Exhibit 4-3

Parking Garage Screening at Block A2
Downtown Civic Center P.U.D.

not to scale



'B' Street Front Elevation



Holt Boulevard Side Elevation



Interior Alley Elevation

Exhibit 4-4

Townhome Architectural Character

Downtown Civic Center P.U.D.

not to scale

Massing and Scale

- Rooflines should be varied through the use of hips, stepped roofs, gables, or other roof elements.
- Long blank walls should be broken up with architectural elements that add visual interest and enhance the character of the neighborhood. Architectural features such as setbacks, indentations, overhangs, projections, cornices, and bay windows should be used to create interesting building facades.
- Each individual dwelling unit should be expressed as an identifiable unit through its use of roof forms, change in building mass, defined entryways and other architectural treatments.
- Buildings along Sultana Avenue should be designed with sensitivity to massing and scale of nearby residential properties.

Articulation and Fenestration

- Building elevations should be articulated every 15 linear feet by varying the form or footprint and/or by introducing architectural elements and/or projections.
- A minimum of 15 percent of the entire horizontal length of any building elevation should be articulated by varying the form or footprint and/or by introducing architectural elements and/or projections.
- Entries shall be clearly marked with architectural elements such as porches, ornamental lighting, landscaping and other elements.
- Entrances from public sidewalks shall be prominent, visible from the street and connected by a walkway to the sidewalk.
- Building offsets or projections should be a minimum of 12 inches in depth and 12 inches in width.
- Windows should be inset from the face of the exterior wall to provide a visual relief and strong shadow line.

Architectural Details

- Introduce architectural treatments at the base of the building to distinguish it from the top; this can be accomplished through the use of textured materials, variations in color and enriched landscaping.
- Architectural details should be consistent with the architectural style, materials and colors of the building.

Material and Colors

- Exterior colors and materials shall be subdued and reflect the character and setting of downtown Ontario.

- Employ high quality materials that are durable, lasting and aesthetically appealing. Stucco and brick are preferred materials.

Alley Character & Entry Points

- Alleys should be designed with the same attention and level of detail as the streets. Landscaping and enhanced paving (pavers, colored concrete), etc. shall be used to facilitate alleyway and drive entrances that are both functional and attractive.

- A variety of massing, roof forms, and architectural massing shall be provided on the alley edge.

- The primary vehicular entries into the residential neighborhoods should provide ample planter space to create colorful and distinctive edges, including flowering perennials and annuals, and rows of trees.

- Each point of entry should be designed to allow for project monumentation and should create a sense of "welcoming" into the community.

- Homes abutting drive entries shall be separated a minimum of 40 feet at the ground level, and separated a minimum of 35 feet at second and third story levels.

- Examples of desired alley characteristics are shown in Exhibit 4-5.

Roof Top and Ground Level Mechanical Equipment:

- All mechanical equipment, whether mounted on the roof or ground, shall be screened from view. Rooftop equipment shall be screened from view from public rights-of-way and from adjacent, existing buildings. Utility meters and equipment should be placed in locations that are not exposed to view from open areas or they should be suitably screened. All screening devices are to be compatible with the architecture and colors of the building.

- Architectural screening elements should be constructed of the same materials and finishes as the primary building.

- If centralized mailbox locations are necessary to serve the residential community they shall be designed to be architecturally compatible with other buildings.

Outdoor Recreation Space

- Private, open ground level patios shall be finished with a combination of landscape and hardscape surfaces. The specific palette of materials shall be identified in a landscape plan to be submitted for approval by the City's Landscape Planner, prior to issuance of building permits.

- Awnings, trellis structures, patio covers, and similar improvements shall not be attached to the main building, and shall not cover the entire patio area.

- A central common open space area shall provide opportunities for social interaction and passive recreation, with shading elements to counteract the summer sun. An indoor recreation/fitness/community facility shall be provided within this central common area, with architectural style and materials that match or complement the homes. A variety of landscape and

hardscape elements shall be provided to define and enrich courtyards and walkways. Specimen trees shall be provided. Outdoor seating, tables and umbrellas, gazebos, barbeques, natural lawn area, and/or other place-making features are to be provided, and shall be compatible with the architectural style of the project. Hardscaping shall be composed of decorative paving materials and patterns, rather than a single, continuous surface. Outdoor common areas should be designed to be visible for surveillance by residents and police patrol units, if possible. A detailed plan for the common area open space shall be submitted as part of the Development Plan application for the 2 blocks comprising the townhomes project.

Landscaping, Walls and Fences

- Yards abutting the street frontage shall be landscaped with a uniform mixture of plant materials that provide a variety of textures and massing. Each main drive entrance shall be bordered by landscape elements that include ground-level flowering materials, shrubs and a row of specimen trees, with a sidewalk on one side of the driveway.

- Where there are substantial expanses of exposed main building walls along a street frontage, treatments of the perimeter yards in those areas should include appropriate landscaping, fencing and/or other methods of deterring potential vandalism and graffiti.

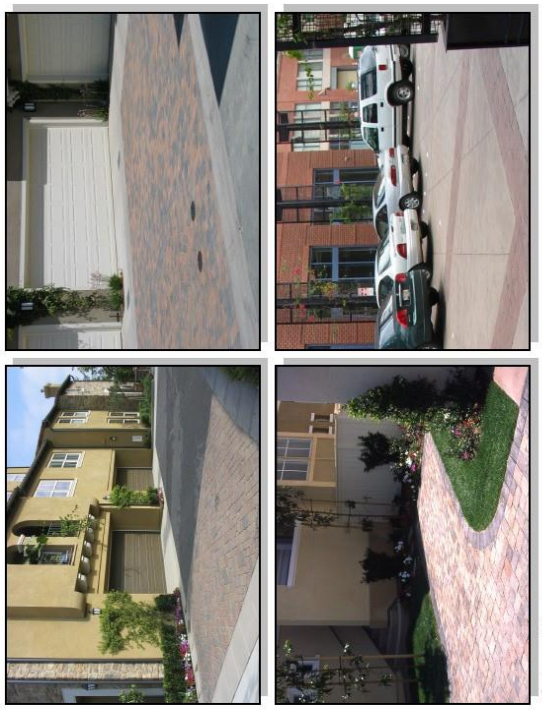
- Private ground level patios shall be fully enclosed with a wall material that is complementary to the style and materials of the homes. Walls facing streets shall not exceed 42 inches high. Walls along interior common areas may be up to 6 feet high. Six-foot high walls composed of a masonry material that is complementary to the style and materials of the homes shall be placed at the end of alleys, to block views from the street into the alley.

Internal Pedestrian Circulation

- Landscaped walkways shall provide internal pedestrian circulation between Plum and Sultana Avenues and between Holt Boulevard and B Street. Such walkways may be part of common areas that separate opposing rows of homes or may be within a linear pathway between groupings of homes. These walkways are intended to provide convenient access to public sidewalks for project residents and are not intended to operate as public pass-thrus. Connections to public sidewalks along Holt may be gated and locked to limit access to residents only.

Exhibit 4-5

Townhome Alley Character
Downtown Civic Center PUD.



Enhanced Paving



Landscape Pockets



Building Undulation

4.4 LANDSCAPE ELEMENTS

Landscaping elements will provide significant contributions to the aesthetic quality and character of the Town Center, with respect to public and private spaces. Table 4-1 describes the master plant palette that will guide the selection of materials for street trees, perimeter trees and shrubs, podium courtyard and common area trees, vines, screening and hedge plants, drive alley shrubs, security/barrier plantings, and ground covers for a variety of applications. Detailed landscape/irrigation plans shall be included in the Development Plan submittals for each block.

Table 4.1: Downtown Civic Center Master Plant Material List

Botanical Name	Common Name	Size	Comments
Street Trees			
C Street			
Hymenosporum f~~F~~lavum	Sweetshade Tree	36" Box	Standard
Podocarpus h~~H~~enkelii	Yew Pine	36" Box	Standard
Washingtonia filifera~~Robusta~~	~~Mexican~~ Califonria Fan Palm	12' BTH	Standard
B Street			
Trachycarpus f~~F~~ortunei	Windmill Palm	8' BTH	Standard
Lagerstroemia i~~I~~ndica	Crape Myrtle	36" Box	Standard
Pittosporum r~~R~~hombifolium	Queensland Pittosporum	36" Box	Standard
Euclid Avenue			
~~Magnolia Grandiflora Samuel Somer~~	~~Magnolia~~	~~24" Box~~	~~Standard~~
~~Brachychiton Populneus~~	~~Bottle Tree~~	~~24" Box~~	~~Standard~~
~~Pinus Elderica~~	~~Afghan Pine~~	~~24" Box~~	~~Standard~~
Ginko biloba	Maidenhair Tree	24" Box	Standard
Quercus muehlenbergii	Chinquapin Oak	24" Box	Standard
Schinus molle	California Pepper	24" Box	Standard
Lemon Street			
Hymenosporum Flavum	Sweetshade Tree	36" Box	
~~Pyrus Calleryana~~ Geijera parviflora	Australian Willow~~Aristocrat Pear~~	36" Box	
Washingtonia ~~Robusta~~ filifera	California ~~Mexican~~ Fan Palm	24" Box	
Plum Avenue			
Lagerstroemia Indica	Crape Myrtle	36" Box	
Hymenosporum Flavum	Sweetshade Tree	36" Box	
Washingtonia filifera~~Robusta~~	California~~Mexican~~ Fan	24" Box	

Botanical Name	Common Name	Size	Comments
	Palm		
Sultana Avenue			
~~Lagerstroemia Indica~~	~~Crape Myrtle~~	~~36" Box~~	
~~Chitalpa Tashkentensis~~	~~Chitalpa~~	~~36" Box~~	
~~Pyrus Betulifolia~~	~~Bradford Pear~~	~~36" Box~~	
Cercis reniformis 'Alba'	Texas White Redbud	36" Box	
Chitalpa tashkentensis	Chitalpa	36" Box	
Lagerstroemia indica	Crape Myrtle	36" Box	
Streetscape Trees – Trees Around Project Perimeter			
Archontophoenix c~~C~~unninghamiana	King Palm	12' BTH	
~~Arecastrum Romanzoffinum~~	~~Queen Palm~~	~~12' BTH~~	
Cercis canadensis 'Forest Pansy'	Eastern Redbud	24" Box	Standard
Cercis reniformis 'Alba'	Texas White Redbud	24" Box	Standard
Hymenosporum flavum	Sweetshade Tree	36" Box	Standard
Lagerstroemia indica	Crape Myrtle	36" Box	Multi
Trachycarpus f~~F~~ortunei	Windmill Palm	8' BTH	
~~Hymenosporum Flavum~~	~~Sweetshade Tree~~	~~36" Box~~	~~Standard~~
~~Magnolia X Soulangeana~~	~~Saucer Magnolia~~	~~36" Box~~	~~Multi~~
~~Podocarpus Henkelii~~	~~Yew Pine~~	~~24" Box~~	~~Standard~~
~~Prunus C. 'Krauter Vesuvius'~~	~~Purple Leaf Plum~~	~~24" Box~~	~~Standard~~
~~Pyrus Kawakamii~~	~~Evergreen Pear~~	~~24" Box~~	~~Standard~~
~~Trachycarpus Fortunei~~	~~Windmill Palm~~	~~8' BTH~~	
Tristania c~~C~~onferta	Brisbane Box	24" Box	Standard
Podium Courtyard Trees (A1, A2, C1)			
Archontophoenix c~~C~~unninghamiana	King Palm	12' BTH	
~~Arecastrum Romanzoffinum~~	~~Queen Palm~~	~~12' BTH~~	
~~Eriobotrya 'Coppertone'~~	~~Coppertone Loquat~~	~~24" Box~~	~~Standard~~
Cercis reniformis 'Alba'	Texas White Redbud	24" Box	Standard
Maytenus b~~B~~oaria	Mayten Tree	24" Box	Standard
Melaleuca q~~Q~~uinquinervia	Cajeput Tree	24" Box	Multi
~~Pyrus Kawakami~~	~~Evergreen Pear~~	~~24" Box~~	~~Standard~~
Quercus ilex	Holly Oak	24" Box	Standard
Trachycarpus f~~F~~ortunei	Windmill Palm	8' BTH	
Tristania c~~C~~onferta	Brisbane Box	24" Box	Standard

Botanical Name	Common Name	Size	Comments
Common Area Trees (A3/A4)			
Archontophoenix cCunninghamiana	King Palm	12' BTH	
~~Arecastrum Romanzoffinum~~	~~Queen Palm~~	~~12' BTH~~	
~~Eriobotrya 'Coppertone'~~	~~Coppertone Loquat~~	~~24" Box~~	~~Standard~~
Cercis reniformis 'Alba'	Texas White Redbud	24" Box	Standard
Maytenus bBoaria	Mayten Tree	24" Box	Standard
Melaleuca qQuinquinervia	Cajeput Tree	24" Box	Multi
~~Pyrus Kawakami~~	~~Evergreen Pear~~	~~24" Box~~	~~Standard~~
Quercus ilex	Holly Oak	24" Box	Standard
Trachycarpus fFortunei	Windmill Palm	8' BTH	
Tristania cConferta	Brisbane Box	24" Box	Standard
Drive Alley Trees (A3/A4)			
~~Eriobotrya 'Coppertone'~~ Callisetemon citrinus	~~Coppertone Loquat~~ Lemon Bottlebrush	24" Box	Standard
Maytenus bBoaria	Mayten Tree	24" Box	Standard
~~Photinia Fraseri~~	~~Red Leaf Photinia~~	~~24" Box~~	~~Standard~~
Phapiolepis 'Majestic Beauty'	India Hawthorn	24" Box	Standard
Tristania laurina	Water Gum	24" Box	Standard
Vines			
Vines – South/West Exposure			
Distictis bBuccinatoria	Blood Trumpet Vine	5 Gal	
Ficus pPumila	Creeping Fig	5 Gal	
Gelsemium sempervirens	Carolina Jessamine	5 Gal	
~~Macfadyena Unguis-Cacti~~	~~Yellow Trumpet Vine~~	~~5 Gal~~	
Vines – Sun/Part Shade Exposure			
Clytostoma cCallistegioides	Lavander Trumpet Vine	5 Gal	
Hardenbergia vViolacea	Lilac Vine	5 Gal	
Parthenocissus tTricuspidata	Boston Ivy	5 Gal	
Trachelospermum jJasminioides	Star Jasmine	5 Gal	
Shrubs			
Interior Common Area & Podium Courtyard Shrubs			
Agapanthus sSpecies	Lily Of The Nile, Queen Anne	1 Gal	
Asparagus sMyersii	Myers Asparagus	5 Gal	

Botanical Name	Common Name	Size	Comments
Carex ~~f~~Fflacca	Blue Sedge	1 Gal	
Buxus M. J. 'Green Beauty'	Green Beauty Boxwood	5 Gal	
Camellia s~~S~~asanqua	Camellia	5 Gal	
Ceanothus g.h. 'Yankee Point'	Ceanothus Yankee Point	5 Gal	
Dianella Species	Flax Lily	15 Gal	
Dietes hybrids~~Vegata~~	Fortnight Lily	1 Gal	
~~Ensete V. 'Montbeliardii'~~	~~Red Banana~~	~~15 Gal~~	
~~Hebe 'Veronica Lake'~~	~~Hebe~~	~~5 Gal~~	
Hemerocallis 'Bitsy'	Evergreen Bitsy Daylily (Yellow)	1 Gal	
~~Lavendula Species~~Saliva 'Bee's Bliss'	~~Lavander~~ 'Bee's Bliss' Saliva	1 Gal	
Limonium p~~P~~erezii	Sea Lavander	1 Gal	
Liriope m~~M~~uscari	Lily Turf	1 Gal	
Mahonia a~~A~~quifolium	Oregon Grape	5 Gal	
Nandina d~~D~~. 'Firepower'	power Heavenly Bamboo	5 Gal	
~~Nassella Tenuissima~~ Festuca mairei	~~Mexican Feather Grass~~ Atlas Fescue	1 Gal	
Philodendron 'Xanadu'	Xanadu Philodendron	5 Gal	
Phoenix r~~R~~oebelenii	Pigmy Date Palm	15 Gal	
~~Phorium Species~~	~~Flax~~	~~15 Gal~~	
Pittosporum Species	Mock Orange	5 Gal	
R~~P~~hapiolepis Species	India Hawthorn	5 Gal	
Rosa 'Iceberg'	White Rose	5 Gal	
Rumhora a~~A~~diantiformis	Leatherleaf Fern	5 Gal	
Spathiphyllum 'Mauna Loa'	Spathiphyllum	5 Gal	
Strelitzia nicolai	Giant Bird of Paradise	15 Gal	
Strelitzia r~~R~~eginae	Bird Of Paradise	5 Gal	
Trachelospermum j~~J~~asminioides	Star Jasmine	1 Gal	
Streetscape & Perimeter Shrubs			
Agapanthus Species	Lily Of The Nile, Queen Anne	1 Gal	
Anigozanthos f~~F~~lavidus	Kangaroo Paw	1 Gal	
Buxus M.J. 'Green Beauty'	Green Beauty Boxwood	5 Gal	
Dianella Species	Flax Lily	15 Gal	
Dietes ~~Vegata~~ Hybrids	Fortnight Lily	1 Gal	

Botanical Name	Common Name	Size	Comments
Hemerocallis 'Bitsy'	Evergreen Bitsy Daylilly (Yellow)	1 Gal	
Limonium ~~p~~Perezii	Sea Lavander	1 Gal	
~~Phormium Species~~	~~Flax~~	~~15 Gal~~	
Pittosporum Species	Mock Orange	5 Gal	
R~~P~~hapiolepis Species	Indian Hawthorn	5 Gal	
Rosa 'Iceberg'	White Rose	5 Gal	
Rosmarinius Tuscan Upright	Upright Rosemary	5 Gal	
Salvia g~~G~~reggii 'Furman's Red'	Red Salvia Greggii	5 Gal	
Strelitzia r~~R~~eginae	Bird Of Paradise	5 Gal	
Screening & Hedge Plants			
~~Escallonia Fradesii~~	~~Escallonia~~	~~5 Gal~~	
Grewia o~~O~~ccidentalis	Lavander Starflower	5 Gal	Espalier
Ligustrum t~~T~~exanum	Wax Leaf Privet	15 Gal	
Prunus c~~C~~aroliniana	Carolina Laurel Cherry	15 Gal	
Xylosma c~~C~~ongestum	Xylosma	5 Gal	
Drive Alley Shrubs			
Dianella Species	Flax Lily	5 Gal	
Dietes ~~Vegata~~hybrids	Fortnight Lily	1 Gal	
Hemerocallis h~~H~~ybrids	Evergreen Daylily	1 Gal	
Nandina d~~D~~omestica	Hevenly Bamboo	5 Gal	
~~Phormium Species~~	~~Flax~~	~~5 Gal~~	
Podocarpus h~~H~~enkelii	Yew Pine	15 Gal	
Strelitzia r~~R~~eginae	Bird Of Paradise	5 Gal	
~~Trachelospermum Jasminioides~~	~~Star Jasmine~~	~~1 Gal~~	

Security/Barrier Planting				
Bougainvillea Spp	Bougainvellia	5 Gal		
Carissa m~~M~~acrocarpa	Natal Palm	5 Gal		
Hakea s~~S~~uaveolens	Sweet Hakea	5 Gal		
~~Pyracantha Coccinea~~	~~Pyracantha~~	~~5 Gal~~		
Rosa 'Floribundas'	Rose	5 Gal		
Ground Covers				
Annual Color	Annual Color	4" Pots	8" oc	Color By L.A.
Dwarf Tall Fescue	Marathon Ii	Sod		

Botanical Name	Common Name	Size		Comments
Campanula pPoscharskyana	Bellflower	Flats	12" oc	Triangular Space
Duchesnea iIndica	Indian Mock Strawberry	Flats	12" oc	Triangular Space
Gazania 'Mitsuwa Yellow'	Yellow Gazania	Flats	13" oc	Triangular Space
Lantana mMontevidensis 'Alba'	Lantana	Flats	18" oc	Triangular Space
Myoproum pParvifolium	Prostrate Myoproum	Flats	12" oc	Triangular Space
Pelagonium 'Balkan Pink' pTrachelospermum	Pink Ivy Geranium	Flats	12" oc	Triangular Space
Jasminioides	Star Jasmine	Flats	18" oc	Triangular Space
Vinca Minor	Dwarf Periwinkle	Flats	12" oc	Triangular Space

4.5 STREETSCAPES

Streetscape elements shall be submitted for approval by the Planning and Public Works Directors. A comprehensive master streetscape plan for the entire project limits shall be submitted prior to issuance of building permits for the first block to be developed, or separate streetscape plans shall be submitted prior to issuance of building permits for each block. Each streetscape plan shall include the elements set forth in Sections 4.45.1 to 4.45.32 herein.

4.5.1 STREET LIGHTING

Human scale and continuation of a modernized, yet traditional American downtown character will govern the selection of streetlights. A combination of Marblelight and "King" standard lighting (City of Ontario Standard Drawing No. 5103) shall be required within the public right-of-way, with LED fixtures along Euclid Avenue and Holt Boulevard~~standard post-top streetlights, with high-pressure sodium vapor lamps, shall be placed along Euclid Avenue and Holt Boulevard~~. King standard post-top lights shall be placed along all other streets. Light spacing and wattage shall be as determined by the City Engineer.

All post-top lamps shall incorporate shielding within the luminaire and/or globe to prevent glare into upper level residential windows. All Marblelight fixtures shall incorporate cut-off shields to prevent glare into upper level residential windows.

4.5.2 STREET FURNITURE AND SIDEWALK ENHANCEMENTS

Street furniture will help to create a special character to reflect the traditional American downtown theme and character. The use of repetitive materials and textures will create a continuity and consistency that is desired throughout the downtown area. A variety of decorative elements will be incorporated into the public sidewalk zone, including bus shelters, benches, tree grates, bike racks, enhanced paving, trash receptacles and possibly bollards. Examples of acceptable materials and styles are illustrated in Exhibit 4-6. Not all elements are required along every street. Selection of appropriate elements shall consider sidewalk widths, size and spacing of street trees, proximity to store entrances, importance of the pedestrian path, and the requirement to maintain a minimum 4 feet clear space for pedestrian movement in all areas. Bus shelters/benches, street furniture and sidewalk enhancements shall be identified on a master streetscape plan to be submitted as part of the Development Plan submitted for each block, or as part of a Development Plan for the overall project. General characteristics to be incorporated into these features include:

- All street furniture shall comply with the Americans with Disabilities Act of 1990
- Benches shall have arms and backs
- A powder-coated, dark finish shall be applied to all fixtures and furniture
- All tree grates shall be iron with 3/8" max slots, with 30" center opening for tree skating and future trunk growth
- Bollards may be placed at entrances to bicycle/pedestrian pathways and where controlled emergency or maintenance access is required or desired. A bottom locking mechanism shall be provided to enable easy removal by authorized City personnel.
- Litter receptacles shall have a fixed top
- Design of bus stop benches and shelters shall satisfy the criteria specified by the local transit agency (currently Omnitrans)
- Bike racks shall be located adjacent to parking areas or bicycle/pedestrian pathways

Other street amenities may be placed in appropriate locations, such as kiosks, newspaper racks, drinking fountains and utility covers. Such amenities shall be comprised of the same character and color as the other street furniture elements.

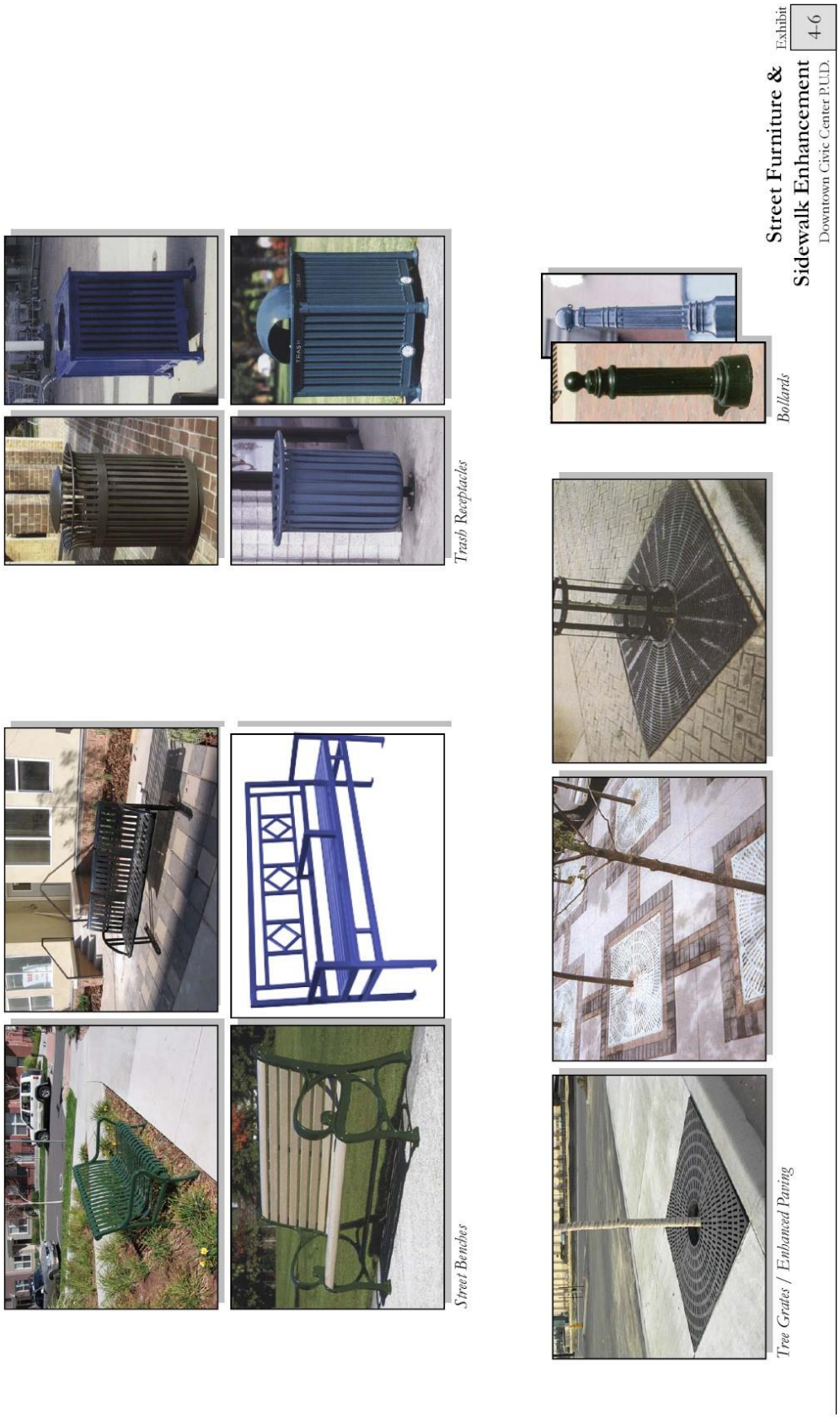

Street Furniture &
Sidewalk Enhancement
Downtown Civic Center P.U.D.
Exhibit
4-6
Trash Receptacles
Bollards
Street Benches
Tree Grates / Enhanced Paving

Exhibit 4-7
Street Lighting, Thematic Street Signs & Markers
Downtown Civic Center P.U.D.
Downtown Map Sign
Downtown Directional Signs
Interpretive Historic Panel
Downtown Street Signs
Banners on Light Poles
King French Intermediate Street Lamp

5.0 ADMINISTRATION

5.1 DEVELOPMENT CODE GOVERNS IF NOT ADDRESSED IN PUD

Any terms not defined herein and any issues affecting the design and development of the subject project area that not specifically addressed in this PUD shall be governed by the provisions of the Ontario Development Code.

5.2 DEVELOPMENT APPLICATION PROCESSING

A Development Plan shall be submitted for each block, for approval by the Development Advisory Board and the Ontario Planning Commission, pursuant to the Ontario Development Code. ~~No Development Plan shall be approved unless a parking demand/supply study determines there is sufficient on and/or off-street parking to support the proposed land uses~~.

5.3 OTHER APPLICATIONS TO FACILITATE IMPLEMENTATION OF PUD

5.3.1 CHERRY AVENUE VACATION

Blocks A3 and A4 are to be merged to create a single development site for the proposed townhomes. This will require vacation and abandonment of the existing Cherry Avenue right-of- way that separates these blocks. This street vacation/abandonment shall be completed prior to issuance of a building permit for the townhomes project.

5.3.2 CERTIFICATE OF APPROPRIATENESS

To ensure proper implementation of the historic resource preservation and mitigation measures established in the Final EIR for the Downtown Civic Center Project, an application for a Certificate of Appropriateness ("C of A") shall be submitted and approved in conjunction with each block Development Plan. Application requirements and required findings for approval of a C of A are specified in the Ontario Development Code.

5.4 CEQA COMPLIANCE

The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The proposed vacation of Cherry Avenue was not addressed in the Final EIR; therefore, an Addendum to the Ontario Downtown Civic Center Project EIR (SCH No. 200405115) was prepared. This Addendum determined that this PUD application would not introduce any new significant environmental impacts. All applicable mitigation measures adopted with the previous environmental assessment will become a condition of project approval. The City of Ontario will continue to be responsible for implementation of the Mitigation Monitoring and Reporting Program adopted for the Downtown Civic Center Project. This may involve application of one or more mitigation measures to implement this PUD, or fair-share proportions thereof.

5.5 ADMINISTRATIVE EXCEPTIONS

Exceptions to a maximum of 10 percent of any of the development standards set forth in Sections 3.1 to 3.5 may be granted by the Zoning Administrator, in accordance with ~~Article 10 of~~ the Ontario Development Code.

APPENDIX A: ORDINANCES ADOPTING PUD

(Appendix A follows this page)

ORDINANCE NO. 2829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT FILE NO. PUD06-001, TO ESTABLISH DEVELOPMENT REGULATIONS AND GOVERN A MIXED-USE DEVELOPMENT FOR A SIX BLOCK AREA WITHIN DOWNTOWN ONTARIO LOCATED AT THE NEC OF EUCLID AVENUE AND HOLT BOULEVARD (APN: 1048-543-01 THROUGH 10; 1048-544-01, 02, 04 THROUGH 13 & 15 THROUGH 17; 1048-554-01 THROUGH 08; 1048-551-01 THROUGH 09; 1048-552-01, 02, 03, 04 & 06 THROUGH 12, AND 1048-553-01 THROUGH 17)

A. Recitals.

1. J.H. Snyder has filed an application for a Planned Unit Development, File No. PUD06-001, as described in the title of this Ordinance. Hereinafter, the subject Planned Unit Development request shall be referred to as "the application."

2. On the 25th day of April, 2006, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date. After considering all public testimony, the Planning Commission issued Resolution No. 2006-034, recommending to the City Council that the Planned Unit Development, File No. PUD06-001 be approved.

3. On the 16th day of May, 2006, the City Council of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, it is hereby found, determined, and ordained by the City Council of the City of Ontario as follows:

SECTION 1: This Council hereby specifically finds that all facts set forth in the Recitals, Part A, of this Ordinance are true and correct; and

1. Based upon substantial evidence presented to the City Council during the above-referenced hearing on May 16, 2006, including written and oral staff reports, together with public testimony, the City Council hereby specifically finds as follows:

a. The application applies to a six block area in downtown Ontario within the Town Center Study area, located on the north side of Holt Boulevard, between B Street, Lemon Avenue and Sultana Avenue and on the east side of Euclid Avenue between Holt Boulevard, D Street, and Lemon Avenue.

b. The Planned Unit Development establishes parameters for the development of the subject site. The Planned Unit Development identifies allowable land uses, maximum development intensity consistent with the General Plan.

c. The Planned Unit Development is comprised of 30.7 acres of land into the following land uses: 140 townhomes, 160 apartments, two mixed use blocks with a total of 72,000 square feet of commercial uses on the ground floor and 218 dwelling units above, and a civic plaza block with two commercial buildings totaling 15,000 square feet and a civic plaza.

d. The Planned Unit Development will provide for development of 518 residential units which is within the density range permitted in the Planned Unit Development ordinance and the General Plan.

e. The Planned Unit Development has been prepared in conformance with the goals and polices of the General Plan.

f. The Planned Unit Development does not conflict with the Land Use Policies of the General Plan and will provide for development, within the Town Center, in a manner consistent with the General Plan and with related development; and

g. This Planned Unit Development will promote the goals and objectives of the Land Use Element of the General Plan.

SECTION 2: Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in paragraphs 1 and 2 above, this Council hereby concludes as follows:

a. The subject property is suitable for the uses permitted in the proposed Planned Unit Development in terms of access, size, and compatibility with existing land use in the surrounding area; and

b. The proposed Planned Unit Development is in conformance with the General Plan.

SECTION 3: That the City Council has determined that the environmental impacts of this project were reviewed in conjunction with an Addendum to Environmental Impact Report for Ontario Downtown Civic Center (SCH No. 2004051155), certified on November 16, 2004. This application introduces no new significant environmental impacts and that all previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

SECTION 4: Based upon the findings and conclusions set forth in paragraphs 1, 2, 3 and 4 above, the City Council hereby approves of the Planned Unit Development subject to each and every condition set forth in the Department reports, attached hereto and incorporated by this reference.

SECTION 5: The Mayor shall sign this Ordinance and the City Council shall cause the same to be published within fifteen (15) days after passage, at least once, in a newspaper of general circulation, published and circulated in the City of Ontario, California.

APPROVED AND ADOPTED by the members of the City Council of the City of Ontario this 6th day of June, 2006, by the following votes:

AYES: Mayor P. Leon, Council Members A. Wapner, J. Anderson and S. Mautz.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Paul S. Leon, Mayor

ATTEST:

City Clerk

AFFIDAVIT OF POSTING

I declare under penalty of perjury that I am employed by the City of Ontario in the Records Management/City Clerk's Department and that I posted a copy of this document at City Hall, 303 East "B" Street, Ontario, California.

On June 8 2006 at 9am

Karen Harrison

Signature

APPROVED AS TO FORM:

City Attorney

Certification

I declare under penalty of perjury that I am employed by the City of Ontario and hereby certify that the attached document is a true and correct copy as on file in the Records Management/City Clerk Department, City Hall, 303 East "B" Street, Ontario, California.

Karen Harrison 6/8/06

Signature Date

(Space below for use of County Clerk only)



INLAND VALLEY
DAILY BULLETIN
(formerly The Daily Report)

2041 E. 4th Street
Ontario, CA 91764

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of San Bernardino

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily in the City of Ontario, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, on the date of August 24, 1951, Case Number 70663. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

6/13/06

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Ontario, San Bernardino Co. California
this 13 day of JUNE, 20 06

Courtney Bowen
signature

Proof of Publication of

ORDINANCE NO. 2829

On June 6, 2006, the Ontario City Council adopted an Ordinance approving File No. PUD 04-001 (Planned Unit Development) to establish development regulations and govern a mixed-use development for a six block area within Downtown Ontario, including a mixed-use district to allow a vertical mix of commercial and attached residential land uses with off-street parking structures, a civic plaza district to function as a public commons area, an apartment district with off-street parking structures and a townhome district for individual attached units with private garages. The full text of the Ordinance is available at Ontario's Records Management/ City Clerk's Department, 303 East "B" Street, Ontario, California. Said Ordinance was approved and adopted by the following vote: Ayes: Mayor P. Leon, Mayor pro Tem A. Wapner, Council Members J. Anderson and S. Mautz. Noes/Abstain/Absent None.

Publish: Tuesday, June 13, 2006. #56858

Notice space.

2235

56858

8

ORDINANCE NO. 2937

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD08-001, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT, INCREASING THE MAXIMUM RESIDENTIAL DENSITY RANGE WITHIN BLOCK C1 FROM 45-50 DWELLING UNITS PER ACRE TO 45-65 DWELLING UNITS PER ACRE, AND CLARIFYING THAT BOTH "FOR SALE" AND "FOR RENT" HOUSING IS ALLOWED WITHIN THE COMMERCIAL/RESIDENTIAL MIXED-USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1048-551-10 THROUGH 13; 1048-552-13 THROUGH 19; 1048-553-01 THROUGH 17; 1048-547-04 THROUGH 94; AND 1048-548-01 THROUGH 54.

WHEREAS, J.H. SNYDER COMPANY ("Applicant") has filed an Application for the approval of an amendment to the Downtown Civic Center Planned Unit Development, File No. PUD08-001, increasing the maximum residential density range within the Commercial/Residential Mixed-Use District from 45-50 dwelling units per acre to 45-65 dwelling units per acre, and clarifying that both "for sale" and "for rent" housing is allowed within the District (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in June 2006, the City Council adopted Ordinance No. 2829 approving the Downtown Civic Center Planned Unit Development ("DCCPUD"), which governs land use and development within a 6-block area within the heart of the City's original downtown, including 3 blocks along Holt Boulevard, between Lemon Avenue and Sultana Avenue, and 3 blocks along Euclid Avenue, between Holt Boulevard and D Street; and

WHEREAS, the Application specifically applies to the Commercial/Residential Mixed-Use District, affecting Blocks A1, generally located at the northeast corner of Euclid Avenue and Holt Boulevard, and C1, generally located at the southeast corner of Euclid Avenue and D Street; and

WHEREAS, an Environmental Impact Report ("EIR") (State Clearinghouse No. 200405115) was certified on November 16, 2004, in which development and use of the Project site was discussed; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project and that preparation of an addendum to the EIR was appropriate; and

WHEREAS, to consider the potential environmental impacts of the Project, the City prepared an addendum to the certified EIR pursuant to CEQA and the Guidelines promulgated thereunder (hereinafter referred to as "Addendum"); and

WHEREAS, the City Council reviewed the Addendum and all other relevant information presented to it regarding the Addendum on April 5, 2011, and after evaluating the environmental impacts associated with the Project, concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred; and

WHEREAS, in 2006, the City Council adopted the Downtown Civic Center Planned Unit Development ("DCCPUD"), which governs land use and development within a 6-block area immediately adjacent to the Civic Center complex, including the blocks located on the east side of Euclid Avenue, between D Street and Holt Boulevard, and on the north side of Holt Boulevard, between Euclid and Sultana Avenues. Following adoption of the DCCPUD, the Planning Commission approved a Development Plan (File No. PDEV06-009) for the development of 4 of the 6 blocks, including the C1 Block with a 4-story mixed-use development consisting of 108 housing units over 32,850 square feet of commercial space (at ground level), the A2 Block with 160 apartment units in 4 stories, and the A3 and A4 Blocks with 140 townhomes. The A2, A3 and A4 blocks have since been fully developed by the JH Snyder Company (the "Applicant") and have been occupied since 2009. The C1 Block, however, was not constructed due to the economic downturn; and

WHEREAS, in April 2011, the Ontario Housing Authority entered into a Disposition and Development Agreement ("DDA") with the Applicant, which, stipulates that the Authority will ground lease the C1 block to the Applicant and will contribute affordable housing funds toward the development, operation, and maintenance of 153 affordable housing units within the C1 block. Furthermore, the DDA requires the Applicant obtain necessary development entitlements and obtain the approval of an amendment to the DCCPUD, as the number of dwelling units currently allowed to be developed within the C1 block (108 units maximum) is less than stipulated by the DDA. Therefore, the Applicant is requesting an amendment to the DCCPUD, which proposes an increase in the maximum density range for residential development within the C1 Block from 45-50 dwelling units per acre to 45-65 dwelling units per acre. The amendment will also include changes to the Commercial/Residential Mixed-Use District descriptive language, affecting both the A1 and C1 Blocks, clarifying that both "for sale" and "for rent" housing is allowed within the District, consistent with the other land use districts of the DCCPUD and the City's Development Code; and

WHEREAS, the density increase for the C1 Block would be contained within the previously approved building footprint, and will be facilitated by replacing approximately one-half of the two-bedroom units with one-bedroom units, along with a reduction in unit sizes. The proposed density increase is well within the housing unit count of the *Preferred* development scenario analyzed in the Downtown Civic Center Concept Plan, adopted by the City Council in 2004, and the Downtown Civic Center Project Environmental Impact Report; and

WHEREAS, on May 16, 2011, the Development Advisory Board of the City of Ontario conducted a hearing and issued a Decision recommending Planning Commission approve the Application; and

WHEREAS, on May 24, 2011, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and issued a Resolution, recommending the City Council approve the Application.

WHEREAS, on June 7, 2011, the City Council of the City of Ontario conducted a duly noticed public hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. The City Council reviewed the Addendum and all other relevant information presented to it regarding the Addendum, and after evaluating the environmental impacts associated with the Project, concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred and approved the Addendum on April 5, 2011, as the Project:

a. Does not constitute substantial changes to the certified EIR that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

b. Does not constitute substantial changes with respect to the circumstances under which the certified EIR was prepared, that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

c. Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, that shows any of the following:

1. The project will have one or more significant effects not discussed in the certified EIR; or

2. Significant effects previously examined will be substantially more sever than shown in the certified EIR; or

3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

4. Mitigation measures or alternatives considerably different from those analyzed in the certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 2. Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the City Council hereby concludes as follows:

a. The proposed Planned Unit Development Amendment is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The goals and policies furthered by the proposed project are as follows:

Land Use

Goal—LU1 A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

Policy—LU1-1 *Strategic Growth*. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

Community Design

Goal—CD1 A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

Policy—CD1-1 *City Identity*. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

Policy—CD1-2 *Growth Areas*. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

Goal—CD2 A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

Policy—CD2-1 *Quality Architecture*. We encourage all development projects to convey visual interest and character through:

- building volume, massing, and height to provide appropriate scale and proportion;
- a true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

Policy—CD2-5 *Streetscapes*. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

Policy—CD2-8 *Safe Design*. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

Goal—CD3 Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

Policy—CD3-1 *Design*. We require that pedestrian, vehicular, bicycle and equestrian circulation (where appropriate) on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

Goal—CD4 Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.

Policy—CD4-2 *Collaboration with Property Owners and Developers.* We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.

Housing

Goal—H2 Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

Policy—H2-1 *Corridor Housing*. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.

Policy—H2-2 *Historic Downtown*. We foster a vibrant historic downtown through facilitating a wide range of housing types and affordability levels for households of all ages, housing preferences, and income levels.

Policy—H2-5 *Housing Design*. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Policy—H2-6 *Infill Development*. We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.

Goal—H4 Increased opportunities for low and moderate-income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.

Policy—H4-4 *Mixed-income Housing*. We encourage the integration of affordable housing in the New Model Colony, Ontario Airport Metro Center Area, and existing neighborhoods.

Community Economics

Goal—CE1 A complete community that provides for all incomes and stages of life

Policy—CE1-6 *Diversity of Housing*. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

Policy—CE1-7 *Retail Goods and Services*. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.

b. The proposed Planned Unit Development Amendment, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. A total of 376 housing units have been constructed within the Downtown Civic Center area. The proposed density increase would allow for the development of an additional 312 housing units, an increase of 72 housing units, for a total of 688 housing units within the with Downtown Civic Center area. This proposed increase is within the housing unit count of the *Preferred* development scenario analyzed in the Downtown Civic Center Concept Plan (adopted by the City Council in 2004) and Environmental Impact Report, which proposed 734 housing units. Therefore, the proposed increase in residential density would not adversely affect the public interest, health, safety, convenience, or general welfare of the City

c. The proposed Planned Unit Development Amendment will not adversely affect the harmonious relationship with adjacent properties and land uses. The proposed change in residential density represents a small incremental increase in the total number of housing units that may be developed within the Downtown Civic

Center area. Furthermore, the proposed increase in density does not exceed the housing unit count of the *Preferred* development scenario previously analyzed. Therefore, proposed DCCPUD amendment would not adversely affect the harmonious relationship with adjacent properties and land uses.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council approves File No. PUD08-001, and direct staff to make all appropriate and necessary changes to the Downtown Civic Center Planned Unit Development document, to incorporate the following amendments:

a. Increase the maximum residential density range in the C1Block, from 45-50 dwelling units per acre to 45-65 dwelling units per acre; and

b. Clarify and ensure that both "for sale" and "for rent" housing is allowed within the Commercial/Residential Mixed-Use District, affecting both Blocks A1 and C1.

SECTION 4. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid, unconstitutional or otherwise struck-down by a court of competent jobs, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more portions of this ordinance might be declared invalid.

SECTION 5. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 21st day of June 2011.

PAUL S. LEON, MAYOR

ATTEST:

for MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO FORM:

for JOHN E. BROWN, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 2937 was duly introduced at a regular meeting of the City Council of the City of Ontario held June 7, 2011 and adopted at the regular meeting held June 21, 2011 by the following roll call vote, to wit:

AYES:	MAYOR/COUNCIL MEMBERS:	LEON, DORST-PORADA, WAPNER, MAUTZ AND BOWMAN
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE

for MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 2937 duly passed and adopted by the Ontario City Council at their regular meeting held June 21, 2011 and that Summaries of the Ordinance were published on June 14, 2011 and June 28, 2011, in the Inland Valley Daily Bulletin newspaper.

for MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

RECEIVED
(Space below for use of County Clerk only)
11 JUN 16 AM 10: 12
CITY OF ONTARIO
CITY CLERK/RECORDS

INLAND VALLEY DAILY BULLETIN
(formerly The Daily Report)

2041 E. 4th Street
Ontario, CA 91764

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of San Bernardino

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily in the City of Ontario, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, on the date of August 24, 1951, Case Number 70663. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

6/14/11

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Ontario, San Bernardino Co. California
this 14 day of JUNE, 20 11

signature

11

Proof of

PUBLIC NOTICE OF PROPOSED ADOPTION OF CITY OF ONTARIO ORDINANCE NO. 2937

NOTICE IS HEREBY GIVEN that on June 21, 2011, the City Council of the City of Ontario will consider adoption of proposed Ordinance No. 2937 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD08-001, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT, INCREASING THE MAXIMUM RESIDENTIAL DENSITY RANGE WITHIN BLOCK C1 FROM 45-50 DWELLING UNITS PER ACRE TO 45-65 DWELLING UNITS PER ACRE, AND CLARIFYING THAT BOTH "FOR SALE" AND "FOR RENT" HOUSING IS ALLOWED WITHIN THE COMMERCIAL/RESIDENTIAL MIXED-USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 1048-551-10 THROUGH 13; 1048-552-13 THROUGH 19; 1048-553-01 THROUGH 17; 1048-547-04 THROUGH 94; AND 1048-548-01 THROUGH 54.

The proposed amendment to the Downtown Civic Center Planned Unit Development would have a positive fiscal impact by way of an increase in development impact fees and property taxes resulting from an increase in residential density.

A copy of the full text of the proposed ordinance is available for review in the office of the City Clerk, City of Ontario, 303 East B Street, Ontario, California 91764, Monday through Thursday, 7:30 a.m. to 5:30 p.m. and Friday, 8:00 a.m. to 5:00 p.m.

Dated: June 8, 2011

s/VICKI KASAD, MMC, ASSISTANT CITY CLERK

Publish: Daily Bulletin June 14, 2011
#40582

(Space below for use of County Clerk only)

RECEIVED
11 JUL -1 PM 2:31
CITY OF ONTARIO
CITY CLERK/RECORDS

INLAND VALLEY DAILY BULLETIN
(formerly The Daily Report)

2041 E. 4th Street
Ontario, CA 91764

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of San Bernardino

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily in the City of Ontario, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, on the date of August 24, 1951, Case Number 70663. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

6/28/11

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Ontario, San Bernardino Co. California
this 28 day of JUNE, 20 11

signature

13

Proof

PUBLIC NOTICE OF ADOPTION OF CITY OF ONTARIO ORDINANCE NO. 2937

NOTICE IS HEREBY GIVEN that on June 21, 2011, the City Council of the City of Ontario adopted Ordinance No. 2937 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD08-001, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT, INCREASING THE MAXIMUM RESIDENTIAL DENSITY RANGE WITHIN BLOCK C1 FROM 45-50 DWELLING UNITS PER ACRE TO 45-65 DWELLING UNITS PER ACRE, AND CLARIFYING THAT BOTH "FOR SALE" AND "FOR RENT" HOUSING IS ALLOWED WITHIN THE COMMERCIAL/RESIDENTIAL MIXED-USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 1048-551-10 THROUGH 13; 1048-552-13 THROUGH 19; 1048-553-01 THROUGH 17; 1048-547-04 THROUGH 94; AND 1048-548-01 THROUGH 54.

The amendment to the Downtown Civic Center Planned Unit Development would have a positive fiscal impact by way of an increase in development impact fees and property taxes resulting from an increase in residential density.

Ordinance No. 2937 was adopted by the following roll call vote:

Ayes: Leon, Dorst-Porada, Wapner, Mautz and Bowman
Noes: None
Absent: None

A certified copy of the full text of the Ordinance is available for review in the office of the City Clerk, City of Ontario, 303 East B Street, Ontario, California 91764, Monday through Thursday, 7:30 a.m. to 5:30 p.m. and Friday, 8:00 a.m. to 5:00 p.m. and at www.ci.ontario.ca.us.

Dated: June 22, 2011

s/VICKI KASAD, MMC, ASSISTANT CITY CLERK

Publish: Inland Valley Daily Bulletin
June 28, 2011 #57505

APPENDIX B: MITIGATION MONITORING PROGRAM

(Appendix B follows this page)

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MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
Air Quality	Emissions from project construction equipment.	**MM Air 1**: Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturer's specifications.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Emissions from project construction equipment.	**MM Air 2**: Prohibit all vehicles from idling in excess of ten minutes, both on-site and off-site.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 3**: Water active grading sites at least twice daily. Water unpaved roads or surfaces at least twice daily. Water surfaces before grading.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 4**: Trucks hauling dirt, sand, gravel or soil are to be covered or should maintain at least two feet of freeboard, in accordance with Section 23114 of the California Vehicle Code.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 5**: Reduce on-site vehicle speed to less than 15 mph.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 6**: Sweep nearby or adjacent streets at the end of the day if visible soil material is carried over from construction site.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 7**: Suspend all grading and excavating operations when wind speeds exceed 25 mph.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 8**: Hydroseed or apply soil stabilizers to inactive construction areas left inactive for ten days or more, or replant vegetation in disturbed areas as soon as possible.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
Air Quality	Impacts to air quality due to long-term emissions.	**MM Air 9**: The project will participate in the cost of off-site improvements through fair-share payment of the Development Impact fee as established by the City of Ontario. These fees should be collected and utilized as needed by the City to construct the improvements necessary to maintain the required level of service.	Prior to building permits As required to maintain required LOS	Developer/Housing Authority Pays. Engineering implements improvements
Air Quality	Impacts to air quality due to long-term emissions.	**MM Air 10**: Local transit agencies (Omnitrans and RTD) shall be contacted to determine bus routing in the project area that can accommodate bus stops at the project access points and the project shall provide bus passenger benches and shelters at these project access points. See MM 22.	Prior to site plan approvals for overall project concept for location Prior to issuance of last Certificate of Occupancy for construction	Planning Department, Developer and Omnitrans
Cultural	Impact due to loss of, or significant alteration of an historic resource**.**	**MM Cultural 1:** Prior to issuance of building permits, determination of the status of historical designation of each structure within the project area shall be completed by City Planning Department staff and the Historic Preservation Commission, as required in City Development Code. Table III-2-C shall be consulted in order to determine the mitigation measures required based on the status of historical designation. On the vertical axis, Table III-2-C lists the possible "status of historical designation" to which a property could be subject. The horizontal axis shows all the potential actions that could occur to each building in the project area and lists the appropriate mitigation measures required for each.	Prior to the issuance of building permits, the Planning Department shall be consulted and historical designations verified. Prior to demolition or building permits, Table III-2-C shall be consulted	Planning Department Staff Developer provides proof of completion of mitigation
Cultural	Undocumented cultural/archaeological resources.	**MM Cultural 2:** Should any cultural and/or archaeological resources be accidentally discovered during construction, construction activities shall be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine the significance of these resources. If the find is determined to be an historical or unique archaeological resource, as defined in Section 15064.5	If found during construction	Contractor and City Staff

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.		
Cultural	Undocumented cultural/archaeological resources.	**MM Cultural 3:** If paleontological resources are identified during any excavations, construction activities shall be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine the significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented. One appropriate measure would include that a qualified paleontologist shall be permitted to recover and evaluate the find(s) in accordance with current standards and guidelines.	If found during construction	Contractor and City staff
Cultural	Discovery of human remains	**MM Cultural 4**: In the event of the accidental discovery or recognition of any human remains during excavation/construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been contacted and any required investigation or required Native American consultation has been completed.	If found during construction	Contractor and City staff
Geology	Erosion due to wind	**MM Geo 1:** To reduce impacts associated with erosion due to high winds, prior to construction, all development/ redevelopment plans will apply for and adhere to the permit given by the City of Ontario and enforced by the Building Official found in Title 6, Chapter 12, sections 6-12.01 – 6-12.07. The permit lasts for one (1) year, therefore all construction lasting for a period of more than one calendar year from the date of issue will reapply for the permit and pay the annual fee of $250 plus $5 per acre for each acre over ten acres.	Prior to issuance of grading or demolition permits	Building official
Geology	Construction on an unstable geologic unit	**MM Geo 2:** Prior to approval of all development plans in the Downtown Ontario Civic Center project area, site-specific geotechnical report(s) shall be	Prior to approval of development plans.	Building and Engineering Department

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		submitted to the City of Ontario's Building and Engineering Departments for review and approval. The recommendations provided in the geotechnical report shall be incorporated into the design of the project, or portion of the project under construction.		
Hazards	Release of asbestos through demolition of asbestos-containing materials	**MM Haz 1:** A comprehensive survey for asbestos-containing materials (ACM) that meets the requirements of the South Coast Air Quality Management District's Rule 1403 shall be performed by the City of Ontario on all buildings built prior to 1980 that are proposed to be altered or demolished. This mitigation measure shall apply to properties 2, 5, 8, 12, and 19 referenced in Table III-4-A and other properties listed in Table III-4-B that do not have a reference number. ACM shall be removed by a State-licensed asbestos abatement contractor prior to demolition or burning.	Prior to demolition	Housing Authority and Developer
Hazards	Lead-based paint exposure	**MM Haz 2:** In order to reduce potential impacts related to lead-based paint exposure and/or disposal, and because it is not certain which buildings will be demolished, if any building identified in an Environmental Site Assessment (ESA) or if constructed in 1978 or earlier, than a lead-based paint survey shall be conducted. Buildings 2, 5, 7, 12 (Table III-4-A) have been identified as having lead-based paint, either through a previous ESA, or through a subsequent lead- based paint survey. Lead abatement and/or proper disposal shall be conducted by a qualified specialist.	Prior to demolition and/or Construction	Housing Authority and Developer
Hazards	Oil-stained concrete pads	**MM Haz 3:** For oil-stained areas in, and around Richard's Beauty College (200 N. Euclid Avenue) identified in the Phase I Environmental Site Assessment prepared by P & D Environmental Report No. 8 in Table III-4-A (June 18, 2003: Project No. 174717.0043), the City of Ontario shall be responsible for excavation and proper disposal of oil-	Prior to building permits.	Housing Authority and Developer

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		stained concrete pads (since it was determined in the Phase II that soil underlying the concrete had not been significantly contaminated, though the stained pads remain).		
Hazards	Undocumented hazardous materials	**MM Haz 4:** In the event that construction reveals aterial believed to be hazardous waste, as defined in Section 25117 of the California Health & Safety Code, the developer shall contact the City of Ontario Fire Department Hazardous Materials Division and the County of San Bernardino Environmental Health Department. Excavation shall be stopped until the material has been tested and the presence of hazardous waste has been confirmed. If no hazardous waste is present, excavation may continue. If hazardous waste is determined to be present, the California Department of Toxic Substances Control shall be contacted and the material shall be removed and disposed of pursuant to applicable provisions of California law.	If found during construction	Developer
Hazards	Undocumented hazardous materials	**MM Haz 5:** In the event that during alteration of an existing building hazardous materials are discovered, and that they are not removed as part of the building's rehabilitation, the building shall be placed on an appropriate hazardous materials database by the City of Ontario.	If found during construction	Building Department and Developer
Hazards	Underground storage tanks	**MM Haz 6:** The underground tanks used at the old Police Facility have been removed and properly abated. If any underground tanks are discovered during construction, the developer, in coordination with the County Fire Department, shall remove them. If above ground tanks are removed as part of this project, a replacement plan for at least one 500-gallon tank/fueling station to support City operations near the Civic Center should be implemented.	If required.	Developer, County Fire Department for removal issues, City for replacement issue.
Hazards	Potential impacts to evacuation routes and	**MM Haz 7:** During construction, access from adjacent homes and businesses and two-way traffic	During construction	Contractor

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	other streets.	flow must be specifically maintained on Euclid Avenue and Holt Boulevard, which are designated "evacuation routes" with detours and/or flagmen. Access and two-way traffic flow on Sultana Avenue and "D" Street must also be maintained with detours and/or flagmen to the satisfaction of the Ontario City Fire Department.		
Hazards	Potential interference with air traffic, height restrictions.	**MM Haz 8**: Structures within the project area cannot exceed 122 feet from the site elevation of 980 feet above sea level including temporary structures such as cranes used during construction.	Include in construction document specifications to be implemented during Construction	Building Department, Contractor, Site Inspectors
Hazards	Potential unwanted noise impacts to future land owners or lessees.	**MM Haz 9**: To disclose to the buyer or lessee of subdivided lands within the Civic Center project of the proximity of this site to the Ontario International Airport as required by AB 2776, the City shall disclose, and ensure that the developer makes such disclosures, as required by law to all future buyers.	Prior to specified filings and sale agreements as stated in AB 2776	Housing Authority and Developer
Hydrology	Violation of water quality or waste discharge requirements.	**MM Hydro 1:** In order to ensure that construction activities associated with the Ontario Downtown Civic Center project will not cause a violation of any water quality standard or waste discharge requirements, and to assure no substantial degradation of water quality occurs, developments within the project area shall comply with all applicable provisions of the State's General Permit for Construction Activities (Order No. 99-08- DWQ, or most recent version) during all phases of construction.	Prior to grading and during construction.	Developer and Contractor
Hydrology	Violation of water quality or waste discharge requirements.	**MM Hydro 2:** In order to ensure that the Ontario Downtown Civic Center project will not cause or contribute to violations of any water quality standard or waste discharge requirements, and to assure no substantial degradation of water quality occurs, the project will complete a Water Quality Management Plan (WQMP) pursuant to the MS4 permit (Order No. 2002-0012) adopted by the City of Ontario. The	Prior to development plan approval	Developer, Planning and Engineering Department

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		project shall incorporate Site Design BMPs and Source Control BMPs, and potentially Treatment Control BMPs. See Table III-5-E in EIR.		
Hydrology	Violation of water quality or waste discharge requirements.	**MM Hydro 3:** To assure that development of the Ontario Downtown Civic Center project will not cause a violation of any water quality standard or waste discharge requirements, including San Bernardino County's MS4 permit issued by the SARWQCB, and to assure that no substantial degradation to water quality occurs after construction, any loading docks present within the office, academic or retail areas specified in the project description will be designed with devices to trap oil and grease, such that these pollutants are not discharged from the site in storm water or non- storm water discharges.	Prior to development plan approval and building	Developer, Public Works, Engineering Department and Building Official
Hydrology	New storm drain facilities	**MM Hydro 4**: In the event that connections to the existing storm drain system are required, each development within the Ontario Downtown Civic Center Project will be required to pay a drainage impact fee.	Prior to grading permits	Developer and Building Department
Land Uses & Aesthetics	Safety hazards and noise	**MM LU 1**: To limit exposure to noise from traffic and traffic hazards for children playing along busy streets, no ground floor outdoor residential use areas shall be allowed to front along Holt Boulevard or Euclid Avenue.	Prior to site plan approval	Planning Department
Land Uses & Aesthetics	Land use compatibility and aesthetics related to residential historic neighborhood.	**MM LU 2:** To address both aesthetic and land use compatibility issues, design of new structures located along 'D' Street and Sultana Avenue shall be sensitive to the mass, scale, and architectural style of the existing residential areas located east and north of the project area.	Prior to site and architectural plan approvals	Planning and Building Departments
Land Uses & Aesthetics	Land use compatibility and aesthetics related to historic commercial	**MM LU 3:** New construction and adaptive reuse located along and adjacent to Euclid Avenue shall be sensitive to historic structures on- and off-site. (See also mitigation measures in the Cultural Resources	Prior to architectural plan approvals	Planning and Building Departments

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	buildings	section of this EIR.)		
Land Uses & Aesthetics	Safety in public parks	**MM LU 4**: Parks and open spaces shall be designed for ease of resident and police surveillance.	Prior to site plan approvals	Planning and Police Departments
Noise	Construction noise	**MM Noi 1:** The construction activities of the proposed project shall comply with the City of Ontario noise ordinance that prohibits construction activities on Sundays, Federal holidays, and other days between the hours of 7:00 p.m. and 7:00 a.m.	During construction	Contractor
Noise	Construction noise	**MM Noi 2:** To the extent possible, the number of graders on-site shall be limited to two, or temporary sound barriers shall be installed adjacent to sensitive receptors for the duration of the grading activities.	During construction	Contractor and City Inspectors
Noise	Construction noise	**MM Noi 3**: Construction staging areas shall not be located within 150 feet of existing sensitive receptors and construction equipment shall be fitted with properly operating and maintained mufflers.	Prior to grading plan approval	Engineering Department and Contractor
Noise	Indoor noise impacts	**MM Noi 4:** Architectural plans shall be submitted to the City of Ontario Building Department for an acoustical plan check prior to the issuance of building permits.	Prior to architectural plan approval	Developer and Building Official
Public Services	Impacts to public services	**MM Serv 1:** The project applicant shall pay police, library and fire service development impact fees in place at the time certificates of occupancy are issued.	Prior to building permits	Developer and Bldg. Official
Public Services	Public Safety	**MM Serv 2:** The Ontario Police Department shall maintain a substation facility within proximity to service the proposed project area.	Determine appropriate location. Open by 350th Certificate of Occupancy	Planning and Police Departments
Public Services	Impacts to schools of additional students	**MM Serv 3:** The project applicant shall pay school fees or otherwise meet project obligations to schools, as required by Ontario-Montclair School District and Chaffey Joint Union High School District.	Prior to building permits	Developer and Building Official
Public Services	Adequate park space	**MM Serv 4:** The project applicant shall pay park fees in place at the time building permits are issued, dedicate land and/or develop parks (or a combination of these) to the satisfaction of the Public	Prior to site plan approval	Planning and Parks Departments

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		Works Department to meet City parkland requirements.		
Opening Year with Preferred Project Scenario				
Traffic	With Preferred Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 1:** Install traffic signal and modify the intersection of I-10 WB Off-ramp/ 7th Street to include the following geometrics: Northbound: One left-turn lane. One shared through and right-turn lane. Southbound: N/A. Eastbound: One left-turn lane and one through lane. Westbound: One through lane and one right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 2:** Install traffic signal at Euclid Avenue/ E Street intersection.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans Building Dept. collects all development impact fees.
To comply with CMP standards and reduce all potential impacts to LOS E or better, the following mitigation measures shall be implemented as part of the project. **Build-Out Year with Project (CMP Intersections)**				
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 3:** Modify the intersection of Euclid Avenue/ SR-60 East-bound ramps to include the following geometrics: Northbound: Three through lanes. One right-turn lane. Southbound: Two left-turn lanes. Three through lanes. Eastbound: One left-turn lane. One shared left and through lane. One right-turn lane. Westbound: N/A.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential	**MM Trans 4:** Modify the intersection of Euclid Avenue/ SR-60 West-bound ramps to include the following geometrics: Northbound: Two left-turn lanes. Three through	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	impacts to LOS E or better	lanes. Southbound: Three through lanes. One right-turn lane. Eastbound: N/A. Westbound: One left-turn lane. One shared left and through lane. One right-turn lane.		development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 5:** Modify the intersection of Euclid Avenue/ Philadelphia Street to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One right-turn lane. Southbound: Two left-turn lanes. Three through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Two through lanes. One right-turn lane. Westbound: One left-turn lane. One through lane. One shared through and right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 6:** Modify the intersection of Euclid Avenue/Mission Boulevard to include the following geometrics: Northbound: One left-turn lane. Three through lanes. One right-turn lane. Southbound: Two left-turn lanes. Three through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Two through lanes. One shared through and right-turn lane. Westbound: Two left-turn lanes. Three through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 7:** Modify the intersection of Euclid Avenue/Holt Avenue to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Two through lanes.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		One shared through and right-turn lane. Eastbound: Two left-turn lanes. Three through lanes. One right-turn lane. Westbound: Two left-turn lanes. Two through lanes. One right-turn lane.		
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 8:** Modify the intersection of Euclid Avenue/4th Street to include the following geometrics: Northbound: One left-turn lane. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Two through lanes. One through and right-turn shared lane. Eastbound: One left-turn lane. Three through lanes. One right-turn lane. Westbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 9:** Add 2nd southbound left-turn lane and 4th northbound through lane at the intersection of Euclid Avenue/I-10 EB Ramps.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 10:** Modify the intersection of Campus Avenue/Mission Boulevard to include the following geometrics: Northbound: One left-turn lane. One through lane. One through and right-turn shared lane. Southbound: One left-turn lane. One through lane. One through and right-turn shared lane. Eastbound: One left-turn lane. Three through lanes. One right-turn lane. Westbound: One left-turn lane. Two through lanes. One through and right-turn shared lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project	**MM Trans 11:** Modify the intersection of Campus	Development Impact Fees and	City Engineering Department

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	Avenue/Holt Boulevard to include the following geometrics: Northbound: One left-turn lane. One through lane. One through and right-turn shared lane. Southbound: One left-turn lane. One through lane. One through and right-turn shared lane. Eastbound: One left-turn lane. Two through lanes. One through and right-turn shared lane. Westbound: One left-turn lane. Two through lanes. One through and right-turn shared lane.	Fair Share Fees to be paid at the time of development plan approval	SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 12:** Modify the intersection of Grove Avenue/Mission Boulevard to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One through and right-turn shared lane. Southbound: Two left-turn lanes. Four through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane. Westbound: Two left-turn lanes. Four through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 13:** Modify the intersection of Grove Avenue/Holt Boulevard to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Three through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Three through lanes. One right-turn lane. Westbound: Two left-turn lanes. Three through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans Building Dept. collects all development impact fees.

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 14:** Modify the intersection of Vineyard Avenue/Holt Boulevard to include the following geometrics: Northbound: One left-turn lane. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Two through lanes. One through and right-turn shared lane. Eastbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane. Westbound: Two left-turn lanes. Three through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 15:** Modify the intersection of Mountain Avenue/Mission Boulevard to include the following geometrics: Northbound: One left-turn lane. Two through lanes. One right-turn lane. Southbound: Two left-turn lanes. Two through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Three through lanes. One right-turn lane. Westbound: Two left-turn lanes. Three through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 16:** Modify the intersection of Mountain Avenue/Holt Boulevard to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Three through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane. Westbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project	**MM Trans 17:** Add 3rd Eastbound through lane and	Development Impact Fees and	City Engineering Department

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	3rd Westbound through lane at the intersection of San Antonio Avenue/Holt Boulevard.	Fair Share Fees to be paid at the time of development plan approval	SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 18:** The project will participate in the cost of off-site improvements through the payment of the city of Ontario Development Impact "fair share" mitigation fees. These fees shall be collected by the City at the time of issuance of building permits and utilized as needed by the City to construct the above improvements necessary to maintain acceptable levels of services in the project area.	Prior to Building Permits	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 19:** In addition to the DIF, the developer will pay fair share costs for all off-site roadway improvements that are not included in the existing DIF. Table III-10-I in the Final EIR summarizes these fair share costs that the developer will have to pay in addition to the DIF.	Prior to Building Permits	Developer and Housing Authority
Parking				
Traffic	Inadequate parking	**MM Trans 20:** All forms of development in the project area must meet City on-site parking code requirements and/or shared parking standards to the satisfaction of the Planning Department.	Prior to site plan approval	Planning Department
Traffic	Inadequate parking	**MM Trans 21**: As the project is built out in phases, some parking areas may be shared or off-street parking for one block may be provided on the adjacent block in an interim situation. The downtown Parking Model shall be used to analyze any interim or phased conditions to assure that off- street parking demand is met by the project as a whole throughout all phases of build-out.	Prior to site plan approval	Planning Department
To comply with City standards and reduce all potential impacts to alternative transportation, the following mitigation measures shall be implemented:				
Traffic	With Preferred Project	**MM Trans 22:** The City shall consult with	Location shall be chosen prior to	Planning Department, Omnitrans

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	Scenario, To comply with City standards and reduce all potential impacts to alternative transportation	Omnitrans to determine the location and type of transit facilities warranted by the proposed project. The location and type(s) of facility(ies) shall be determined prior to approval of site plans for the first phase of the proposed project. The siting of the facility(ies) shall be within the proposed project boundaries or within 500 feet of the edges of the project. The facility(ies) shall be constructed and adequate transit service shall be operating from the facility(ies) at the time of the last certificate of occupancy for residential units within the project.	site plan approvals Construction shall commence prior to issuance of last Certificate of Occupancy.	
Traffic	With Preferred Project Scenario, To comply with City standards and reduce all potential impacts to alternative transportation	**MM Trans 23:** The City should encourage the use of public transportation by providing Omnitrans and Metrolink information at public facilities within the project.	Ongoing	City of Ontario, Omnitrans, Metrolink
Traffic	With Preferred Project Scenario, To comply with City standards and reduce all potential impacts to alternative transportation	**MM Trans 24:** Pedestrian activity and bicycles shall be encouraged within the project site through the provision of sidewalks along all streets, connecting pathways and trails, and bicycle racks near commercial and public buildings and parks.	Prior to site plan approvals	Planning Department
Traffic	With High-Density Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 29:** Modify the intersection of Cherry Avenue/Holt Boulevard to allow Right-in/Right-out turning movements only as planned by the City of Ontario.	Prior to Certificates of Occupancy.	Engineering Department and Developer
Traffic	With High-Density Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 30:** Install Traffic Signal at the intersection of Plum Avenue/Holt Boulevard and include the following geometrics: Northbound: One shared left, through, and right-turn lane. Southbound: One shared left, through, and right-turn lane.	Prior to Certificates of Occupancy.	Engineering Department and Developer

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		Eastbound: One left-turn lane. One shared through and right-turn lane. Westbound: One left-turn lane. One shared through and right-turn lane.		
Traffic	With High-Density Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 31:** Modify the intersection of Lemon Avenue/Holt Boulevard to allow Right-in/Right-out turning movements only as planned by the City of Ontario.	Prior to Certificates of Occupancy.	Engineering Department and Developer
Utilities	Inadequate sewer and/or water pipelines	**MM Util 1:** All water and sewer pipelines within the project boundary that are identified by the City of Ontario Public Works Department at the time of project approval to require replacement and/or parallel lines shall be provided by the project proponent to the satisfaction of the City.	Prior to first Certificate of Occupancy in affected phase of project.	Public Works
Utilities	Inadequate sewer and/or water pipelines	**MM Util 2:** The segment of sewer pipeline in Francis Street that is currently surcharged, and/or other surcharged facilities required by the project, shall be constructed and operational by the time the project is constructed. Therefore, prior to obtaining occupancy permit(s) the project proponent shall be required to either replace/construct or pay their fair share for the surcharged segments as required by the City.	Prior to first Certificate of Occupancy in affected phase of project.	Public Works
Utilities	Impacts to existing utility lines from construction activities	**MM Util 3:** Prior to obtaining grading permit(s), the project proponent shall coordinate with the applicable natural gas, electrical, and telephone utility providers for the project site to ensure that all existing underground and overhead lines are not damaged during project construction.	Prior to grading permits	Public Works
Utilities	To reduce the quantity of energy used and to conserve water resources,	**MM Util 4**: To reduce the quantity of energy used and to conserve water resources, the project developer and City of Ontario should work to include sustainable systems for use of water and energy within the project design.	Prior to development plan approvals	Planning, Engineering, Public Works and Developer

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD20-002, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT ("DCCPUD"), AMENDING CERTAIN PROVISIONS TO: [1] BRING THE DCCPUD INTO CONSISTENCY WITH THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN AND THE CITY'S DEVELOPMENT CODE; [2] AMEND CERTAIN LAND USE AND DEVELOPMENT STANDARDS APPLICABLE TO BLOCKS A1 AND C1, INCLUDING BUT NOT LIMITED TO ALLOWING FOR GROUND FLOOR RESIDENTIAL LAND USES, AT GRADE STAND-ALONE PARKING STRUCTURES, AND AN INCREASE IN THE MAXIMUM HEIGHT OF BUILDING ELEMENT PROJECTIONS (FROM 60 FEET TO 65 FEET), REVISION TO ALLOW VEHICULAR ACCESS POINTS, AND MODIFY MINIMUM PARKING STALL AND DRIVE AISLE STANDARDS; AND [3] MAKE VARIOUS REVISIONS NECESSARY TO THE INTERNAL CONSISTENCY OF THE DCCPUD AND MAKING FINDINGS IN SUPPORT THEREOF— APNS: 1048-547-29, 1048-547-36, 1048-553-15, 1048-551-13, 1048-552-13, 1048-553-13, 1048-547-33, 1048-547-34, 1048-553-02, 1048-553-04, 1048-547-30, 1048-552-21, 1048-547-32, 1048-551-11, 1048-547-94, 1048-553-11, 1048-547-31, 1048-553-06, 1048-551-10, 1048-547-39, 1048-547-43, 1048-553-09, 1048-553-10, 1048-547-42, 1048-551-12, 1048-553-16, 1048-553-05, 1048-553-14, 1048-552-17, 1048-552-17, 1048-553-17, 1048-547-40, 1048-553-08, 1048-554-11, 1048-553-12, 1048-547-44, 1048-547-37, 1048-553-07, 1048-547-35, 1048-553-01, 1048-553-03, 1048-547-87, 1048-548-30, 1048-547-81, 1048-547-88, 1048-547-69, 1048-547-76, 1048-548-40, 1048-547-47, 1048-547-89, 1048-547-64, 1048-547-85, 1048-547-51, 1048-547-77, 1048-547-38, 1048-547-70, 1048-547-45, 1048-548-12, 1048-547-71, 1048-547-73, 1048-547-56, 1048-547-92, 1048-547-83, 1048-548-02, 1048-547-49, 1048-547-46, 1048-547-48, 1048-547-91, 1048-548-24, 1048-547-41, 1048-548-47, 1048-547-90, 1048-548-54, 1048-548-15, 1048-547-72, 1048-547-82, 1048-547-50, 1048-547-68, 1048-547-84, 1048-547-86, 1048-547-52, 1048-548-48, 1048-547-80, 1048-547-78, 1048-548-32, 1048-547-55, 1048-547-66, 1048-548-21, 1048-548-23, 1048-547-62, 1048-548-06, 1048-547-63, 1048-547-79, 1048-547-61, 1048-547-59, 1048-548-25, 1048-548-31, 1048-548-20, 1048-548-05, 1048-548-46, 1048-548-03, 1048-548-41, 1048-548-42, 1048-548-27, 1048-547-60, 1048-548-34, 1048-548-43, 1048-548-26, 1048-548-01, 1048-547-67, 1048-548-29, 1048-547-65, 1048-548-04, 1048-548-22, 1048-547-54, 1048-548-07, 1048-548-44, 1048-547-75, 1048-547-57, 1048-547-58, 1048-548-45, 1048-547-27, 1048-547-21, 1048-547-23, 1048-547-15, 1048-552-15, 1048-548-08, 1048-548-11, 1048-548-49, 1048-547-16, 1048-548-52, 1048-548-18, 1048-548-13, 1048-548-09, 1048-548-53, 1048-548-28, 1048-547-22, 1048-547-12, 1048-548-39, 1048-552-22, 1048-552-22, 1048-548-36, 1048-548-19,

1048-547-18, 1048-548-33, 1048-548-35, 1048-552-18, 1048-548-16, 1048-547-13, 1048-547-20, 1048-548-38, 1048-547-24, 1048-548-10, 1048-548-50, 1048-548-51, 1048-548-17, 1048-547-25, 1048-547-26, 1048-547-14, 1048-548-37, 1048-552-14, 1048-552-14, 1048-548-14, 1048-547-19, 1048-547-11, 1048-547-17, 1048-547-09, 1048-547-10, 1048-547-04, 1048-547-08, 1048-547-07, 1048-547-05, 1048-547-06.

WHEREAS, City of Ontario ("Applicant") has initiated a request for the approval of an amendment to the Downtown Civic Center Planned Unit Development, File No. PUD20-002, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in June 2006, the City Council adopted Ordinance No. 2829 approving the Downtown Civic Center Planned Unit Development ("DCCPUD"), which governs land use and development within a 6-block area within the heart of the City's original downtown, including 3 blocks along Holt Boulevard, between Lemon Avenue and Sultana Avenue, and 3 blocks along Euclid Avenue, between Holt Boulevard and D Street; and

WHEREAS, in July 2011, the City Council adopted Ordinance No. 2937 approving an amendment to the DCCPUD, which increased the maximum residential dwelling units per acre from 45-50 dwelling units per acre to 45-65 dwelling units per acre and clarifying that "for rent" and "for sale" housing is allowed within the Commercial/Residential Mixed Use District; and

WHEREAS, the properties to the north are located within the MU-1 (Mixed Use Downtown) and Civic zoning districts. Properties to the south, east, and west are located within the MU-1 (Mixed Use Downtown) zoning districts; and

WHEREAS, the surrounding land uses include commercial to the west, across Euclid Avenue, commercial, civic, and residential land uses to the east, retail to the north, and retail and office to the south, across Holt Boulevard; and

WHEREAS, the DCCPUD Amendment primarily applies to the Commercial/Residential Mixed-Use District, affecting A1 block, generally located at the northeast corner of Euclid Avenue and Holt Boulevard, and C1 block, generally located at the southeast corner of Euclid Avenue and D Street; and

WHEREAS, the DCCPUD Amendment will allow for ground floor residential land uses, at grade stand-alone parking structures, and an increase in height of building element projections, such as elevators and towers, from 60 feet to 65 feet. Compact parking stalls will be eliminated for compliance with the Development Code and a reduction in drive aisle width from 26 feet to 24 feet may be allowed on a case-by-case basis. The amendment also proposes on the C1 block to relocate the vehicular access on D Street to Lemon Avenue. Other minor revisions proposed are intended to clarify or update standards which reflect applicable Development Code standards and overall industry best practices; and

WHEREAS, the Project is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PUD08-001, an amendment to the DCCPUD for which an Addendum to the Ontario Downtown Civic Center Environmental Impact Report (SCH # 200405115, certified on November 16, 2004), was adopted by the City Council on June 21, 2011. This Project introduces no new significant environmental impacts; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (ALUCP), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on February 23, 2021, the Planning Commission of the City of Ontario conducted a public hearing to consider the Project and concluded said hearing on that date, voting to issue Resolution No. PC21-003, recommending the City Council approve the Application; and

WHEREAS, on March 16, 2021, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. ***Environmental Determination and Findings.*** As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the previous Certified Ontario Downtown Civic Center

Environmental Impact Report and supporting documentation. Based upon the facts and information contained in the previous Certified Ontario Downtown Civic Center Environmental Impact Report and supporting documentation, the City Council finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PUD08-00, a Planned Unit Development for which the Ontario Downtown Civic Center Environmental Impact Report was adopted by the City Council on November 16, 2004; and

(2) The previous Certified Ontario Downtown Civic Center Environmental Impact Report contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified Ontario Downtown Civic Center Environmental Impact Report was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified Ontario Downtown Civic Center Environmental Impact Report reflects the independent judgment of the City Council; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified Ontario Downtown Civic Center Environmental Impact Report, and all mitigation measures previously adopted with the Certified Ontario Downtown Civic Center Environmental Impact Report, are incorporated herein by this reference.

SECTION 2. ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the City Council finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the Project does not eliminate or reduce the number of dwelling units and density specified in the Available Land Inventory.

SECTION 3. ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local development regulations, land use plans, and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within

the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4. ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the City Council hereby concludes as follows:

(1) ***The proposed PUD, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The Project is consistent with Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. Section 1.1, The Ontario Plan Objectives of the DCCPUD, describes the manner in which the PUD complies with the Policy Plan goals and policies.

(2) ***The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The Ontario Plan and Downtown Civic Center Environmental Impact Report include safeguards and impose certain mitigation measures to ensure that development within the DCCPUD boundary area would not be detrimental to public interest, health, safety, or general welfare of the City.

(3) ***In the case of an application affecting specific property(ies), the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The DCCPUD area is situated in the heart of Ontario's downtown and is adjacent to residential and commercial land uses and development. The surrounding development supports the objective of the DCCPUD further commercial and residential mixed-use development. The Project does not affect the harmonious relationship with adjacent properties and land use.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The Project does not propose any changes to the project boundary limits, parcel size, shape, or the availability of utilities that would impact future development.

(5) ***The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.*** The Project to the DCCPUD does not propose changes any major deviation from the development standards

SECTION 5. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the herein described Amendment to the DCCPUD (File No. PUD20-002), attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6. ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7. ***Severability.*** If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. ***Effective Date.*** This Ordinance shall become effective 30 days following its adoption.

SECTION 9. ***Publication and Posting.*** The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3180 was duly introduced at a regular meeting of the City Council of the City of Ontario held March 16, 2021 and adopted at the regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3180 duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021 and that Summaries of the Ordinance were published on March 23, 2021 and April 13, 2021, in the Inland Valley Daily Bulletin newspaper.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

File No. PUD20-002;
Amendment to the DCCPUD

(Document follows this page. Please note that all proposed deletions are shown in red ~~strikeout~~ text and all proposed additions are shown in red text)

DOWNTOWN

CIVIC CENTER

PLANNED UNIT DEVELOPMENT



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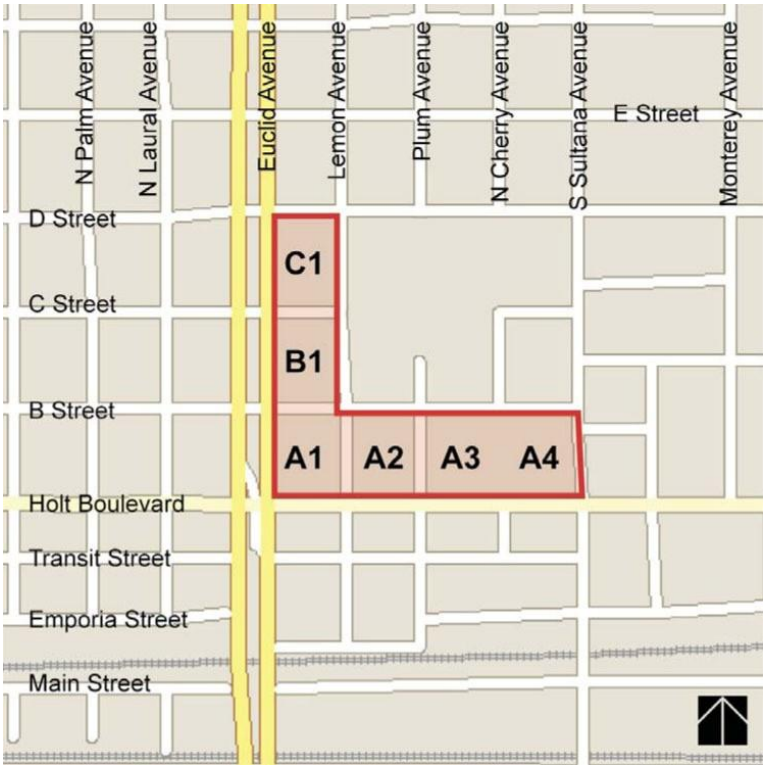
1.0 INTRODUCTION

The ~~Town~~ Downtown Civic Center Planned Unit Development (PUD) is intended to function as a set of planning and design principles, development regulations, and performance standards to guide and govern the development of a 6-block area of the City of Ontario, which consists of a portion of the City's original downtown and its current civic center area (see Exhibit 1-1, Project Location Map). This PUD will facilitate the development of a mixture of high-density attached housing units, restaurants, retail shops, commercial services, and a public commons area that will help achieve the City's goals to economically revitalize and aesthetically enhance the project area.

This document is organized to fulfill the requirements for a PUD, as set forth in the Ontario Development Code. As such, this PUD will replace the existing zone district designations and zoning standards that apply to the affected properties. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply.

City staff and private developers will rely upon this PUD to determine whether precise plans for development ("Development Plans") will adequately meet the City's land use and design objectives for this key part of Ontario's original downtown. The objectives have been defined over the last 20+ years in the Redevelopment Plan for the Center City Redevelopment Project (1983), Ontario General Plan (1992), ~~and the~~ Downtown Civic Center Project EIR (2004), and The Ontario Plan (2010) and are summarized below.

Exhibit 1-1: Project Location Map



1.1 GENERAL PLAN OBJECTIVES

~~The Ontario General Plan designates the project area as part of a "Town Center Study Area," with references to land use goals and policies for Downtown Ontario and East Holt Boulevard defined in the Community Development Element~~ The Ontario Plan (TOP) defines the project area as a Policy Growth Area named the "Historic Downtown and Civic Center." This area is the historic heart of Ontario and is a unique blend of historic, social and cultural uses set in a compact street grid. It includes our Civic Center, Library, diverse residential neighborhoods, and retail opportunities along Euclid Avenue, Holt Boulevard and B Street. The Downtown Civic Center PUD is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The goals and policies furthered by the PUD and ~~to~~ objectives set forth in the Center City Redevelopment Plan, both summarized below.

1.1.1 The Ontario Plan Goals & Policies

Land Use

Goal—LU1 A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

Policy—LU1-1 *Strategic Growth.* We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

Community Design

Goal—CD1 A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

Policy—CD1-1 *City Identity.* We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

Policy—CD1-2 *Growth Areas.* We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

Goal—CD2 A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

Policy—CD2-1 *Quality Architecture.* We encourage all development projects to convey visual interest and character through:

- building volume, massing, and height to provide appropriate scale and proportion;
- a true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and

- exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

Policy—CD2-5 *Streetscapes*. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

Policy—CD2-8 *Safe Design*. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

Goal—CD3 Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

Policy—CD3-1 *Design*. We require that pedestrian, vehicular, bicycle and equestrian circulation (where appropriate) on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

Goal—CD4 Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.

Policy—CD4-2 *Collaboration with Property Owners and Developers.* We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.

Housing

Goal—H2 Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

Policy—H2-1 *Corridor Housing*. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.

Policy—H2-2 *Historic Downtown*. We foster a vibrant historic downtown through facilitating a wide range of housing types and affordability levels for households of all ages, housing preferences, and income levels.

Policy—H2-5 *Housing Design.* We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Policy—H2-6 *Infill Development.* We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.

Goal—H4 Increased opportunities for low and moderate-income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.

Policy—H4-4 *Mixed-income Housing.* We encourage the integration of affordable housing in the New Model Colony, Ontario Airport Metro Center Area, and existing neighborhoods.

Community Economics

Goal—CE1 A complete community that provides for all incomes and stages of life

Policy—CE1-6 *Diversity of Housing.* We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

Policy—CE1-7 *Retail Goods and Services.* We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.

~~**1.1.1 COMMUNITY DEVELOPMENT ELEMENT GOALS & POLICIES**~~

~~▪ DT-1: Establish and maintain an efficient and harmonious use of land within the downtown area accommodating retail, personal and business services, office, residential, entertainment, light industrial, governmental, and cultural activities.~~

~~▪ DT-4: Improve, preserve, and maintain the cohesiveness and image of the downtown through careful design and coordination of new development and through the rehabilitation and redevelopment of older areas.~~

~~▪ DT-5: Achieve utilization of land supply that maintains a solid tax base while respecting the area's cultural and historic resources.~~

~~▪ DT-6: Promote and maintain a high standard of design for public and private uses and facilities.~~

~~▪ DT-7: Create an attractive downtown that will serve as a focus and lively center of community life.~~

~~▪ DT-8: Improve the economic vitality of the downtown to better serve all segments of the community.~~

~~▪ Policy DT-16: Provide for attractive, medium and high-density housing in the downtown that will enhance the specialty, entertainment, and cultural activities in the downtown.~~

1.1.2 CENTER CITY REDEVELOPMENT PLAN OBJECTIVES

- Encourage development of a high intensity, multi-use central business district and surrounding neighborhoods that maximize the economic productivity of the commercial areas and maximize the housing opportunities of the residential areas.
- Apply innovative mixed-use urban design that maintains a flexible approach to allow for changing opportunities over a long-term, phased revitalization effort.
- Create a healthy and exciting urban environment, with the ability to work, live, shop and play within a small area, combine daytime and nighttime use and conserve energy and resources through mixed-use development
- Cluster activity centers within walking distance of each other, supported by a pedestrian network that provides an enjoyable pedestrian flow

1.2 DOWNTOWN CIVIC CENTER PROJECT OBJECTIVES

- Revitalize the downtown area and enhance its economic growth by creating a mixed-use neighborhood with a mixture of housing, retail, academic and office uses within a historic downtown setting

- Develop high quality, mixed-use housing, consisting of market rate and affordable multiple- family, senior housing, offices, academic classrooms and retail

- Establish appropriate relationships among new residential neighborhoods as well as with existing adjacent land use

- Provide for a circulation network which promotes pedestrian walkways and bicycle activity as alternative modes of travel while also providing for safe and efficient movement of automobile travel through the project site

- Ensure that development addresses the Ontario General Plan and Redevelopment Plan for the Center City Redevelopment Project policies and objectives

2.0 LAND USE PLAN

Four land use districts are established for the project limits, as shown in Exhibit 2-1, Land Use Plan, and as described below. Placement of buildings, structures, fences, walls, utility facilities, perimeter yards, etc. will be based on the street rights-of-way and property line dimensions shown in Exhibits 2-2 through 2-6.

2.1 COMMERCIAL/RESIDENTIAL MIXED USE (BLOCKS A1 AND C1)

Blocks A1 and C1 will be developed with vertically mixed commercial and residential uses, in a mid-rise configuration, with commercial uses on the ground floor level, and attached, single level housing units on 3 upper levels. Structured parking will serve commercial and residential uses, with a subterranean parking level or upper levels of a parking structure facility for residents and ground-level parking for the commercial uses. Ground-level spaces along Euclid and Holt Avenues will provide opportunities for specialty shopping, eating/drinking, and limited personal and business services that cater to local residents and local employers/employees, which will draw from pedestrian traffic along Euclid Avenue and the adjacent streets in the Civic Center area. A satellite police station may also be located in a ground-level space within either block area. Because of the vertical integration of housing over commercial, and the potential for conflicts involving noise and intrusion on the residential environment, entertainment venues such as standalone bars and nightclubs will not be permitted. Refer to Chapter 5, Zoning and Land Use, of the Ontario Development Code, for additional land use restrictions and protection corridors.

The residential units will be designed to accommodate a variety of households that prefer a low- maintenance, urban lifestyle, within a pedestrian-friendly environment, and conveniently located shopping, dining, and personal services. As transit linkages improve in the downtown area, these units may attract residents that are reliant upon the regional transit system to commute to jobs outside of the Ontario/Western San Bernardino County area.

2.1.1 PERMITTED USES

- Refer to Table 2-1 for a list of the uses permitted by right, by Conditional Use Permit, and as ancillary to an on-site permitted use.
- Home occupations within residential units, in accordance with the Ontario Development Code
- Small household pets, with a maximum combination of 2 cats, dogs, or other small domesticated animals as may be allowed by the Ontario Development Code
- Structured parking

Table 2.1: Permitted Land Uses in Blocks A1 and C1

Legend:

"P": Means the use is permitted by right of being in the correct land use district.

"C": Means the use is allowed in the land use district, subject to the filing and approval of a Conditional Use Permit in accordance with the Ontario Development Code, prior to the establishment of the land use.

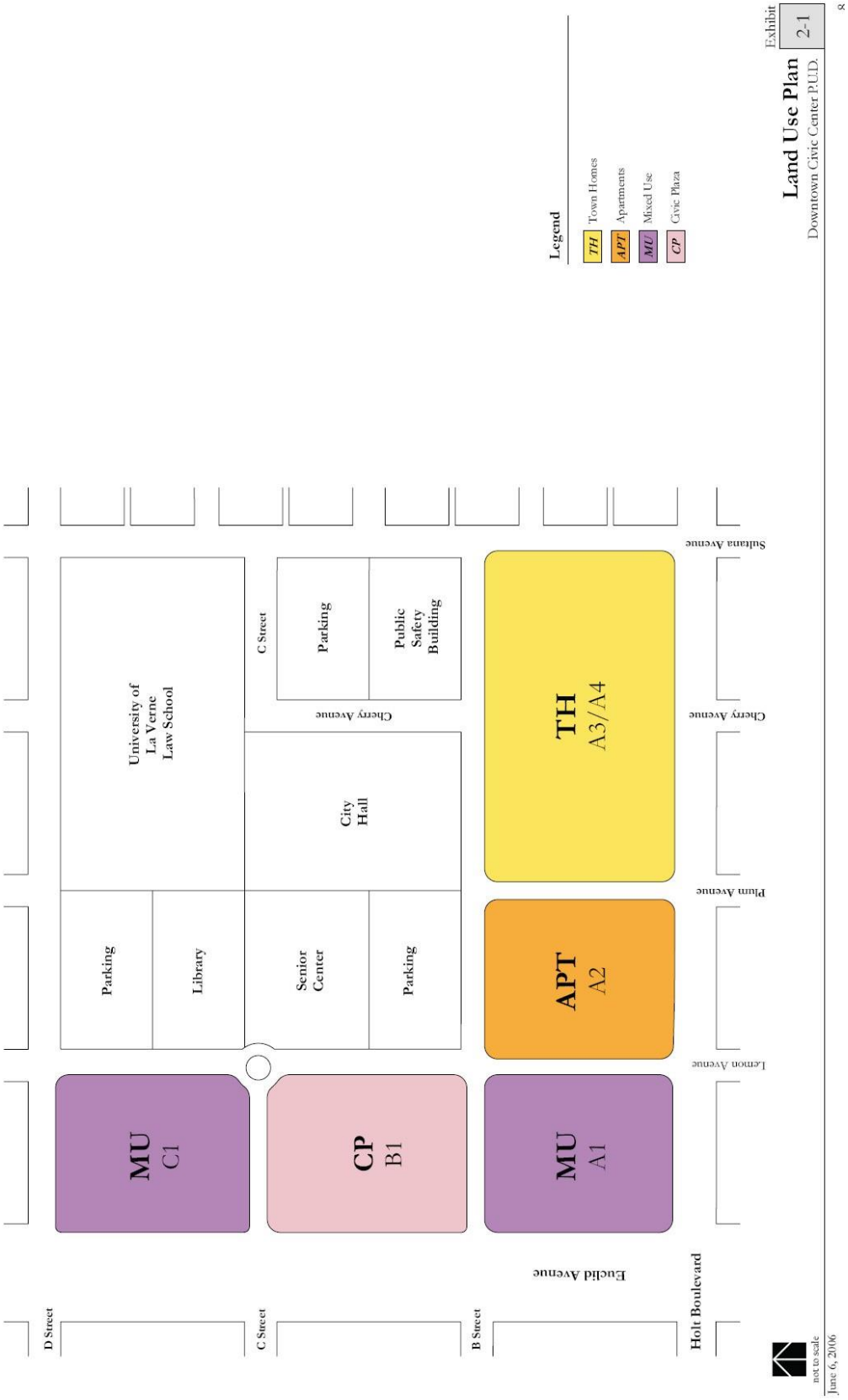
"A": Means the use is permitted by right of being in the correct land use district, provided it is subordinate to the primary land use.

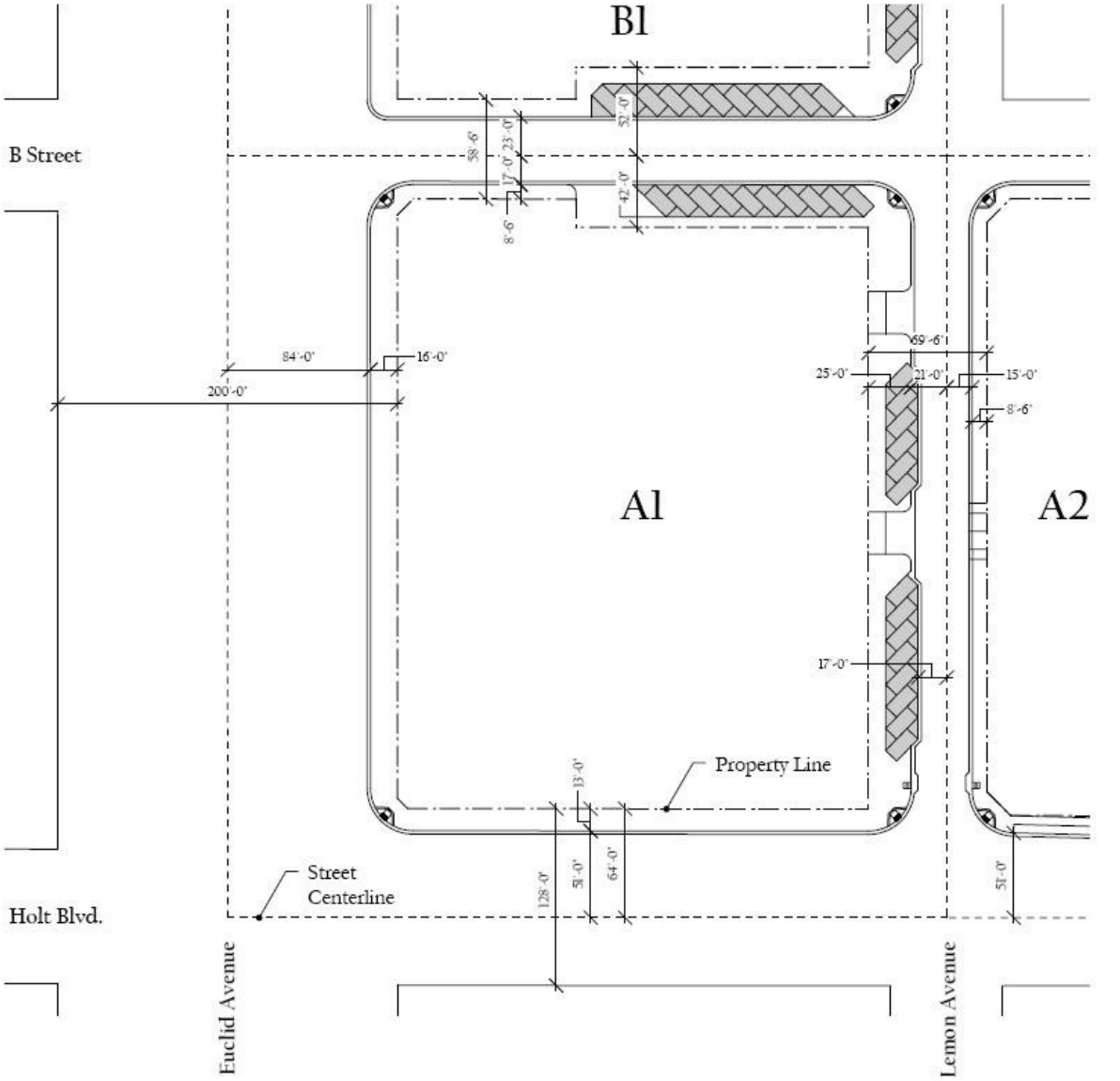
"AP": Means administratively permitted land use, activity, or facility within the specified zoning district is subject to the granting of an Administrative Use Permit in accordance with the Ontario Development Code, prior to the establishment of the land use.

Uses	Permitted/Conditionally Permitted Uses
Residential (Ground ~~2nd~~ Floor and Above)	
Apartments, Condominiums, Duplexes, and Other Multiple-Family Dwellings (includes "for sale" and "for rent" dwellings)	P
Senior Housing	P
Institutional (Ground Floor Only)	
Medical	
Pharmacies and Drug Stores	P
Public/Recreational/Cultural Facilities	
Cultural Facility	P
Museum	P
Government Offices	P
Other Government Facilities	C
Library	P
Police/Fire Station	P
Police Storefront/Substation	P
Recreation Center	P
Senior Citizen Center	P
Church	C
Non-Profit/Service Organizations	
Campaign Offices	P
Charitable, Philanthropic, Service, and other Nonprofit Organization Offices	P
Commercial	
Alcohol	
Alcoholic Beverage Sales	AP/C

Uses	Permitted/Conditionally Permitted Uses
Automobile Related Services	
Parking: Commercial Lot/Garage	C
Parking: Publicly Owned Facilities	P
Communications	
Radio and Television Broadcasting Studios (prohibited on ground/first floor of buildings located along the Euclid Avenue Protection Corridor)	C
Satellite Dishes/Ham Radio Antennas and other facilities (for private use only, must be screened from public view)	P
Eating/Drinking Places & Food Services	
Restaurants (sit down/full service)	P
Outdoor Dining**	A
Entertainment and Recreation	
Auditoriums & Other Public Assembly Facilities	C
Dance Hall/Studio (instructional)	P
Health Club/~~Gymnasium~~Gymnasium (prohibited on ground/first floor of buildings located along the Euclid Avenue Protection Corridor)	C
Health Club/Gymnasium if less than ~~2,000~~ 10,000 sq. ft. (prohibited on ground/first floor of buildings located along the Euclid Avenue Protection Corridor)	P
Live Entertainment (Non Amplified)	See Table 5.02-1 Land Use Matrix in ODC~~C~~
Recreational Facilities (as part of a residential development)	A
Theaters	C
Lodging	
Bed and Breakfast	C
Non-Medical Offices	
Administrative, Professional, and Other Offices	P
Architectural, Engineering, and Related Services	P
Business Management Offices	P
Insurance Agents, Brokers, and Related Offices	P
Real Estate and Related Offices	P
Stock Brokers and Related Offices	P
Retail	
Antique Stores	P
Art Galleries and Art Supply Store	P
Beauty Supply Store	P
Book Stores	P
Camera and Photographic Supply Store	P
Clothing & Accessory Stores	P
Computer and Home Electronic Stores	P

Uses	Permitted/Conditionally Permitted Uses
Bakery (Retail)	P
Convenience Market	P
Delicatessen	P
Grocery Store/Super Market	P~~C~~
Specialty Food Stores	P
Furniture and Home Furnishing Stores	P
Department Store	P~~C~~
Hobby, Toy and Game Store	P
Jewelry Store	P
Luggage and Leather Goods	P
Music and Video Stores	P
Office Supply, Stationery & Gift Stores	P
Pet and Pet Supply Store	P
Shoe Store	P
Services	
Advertising Agency	P
Photocopying and Duplicating Services	P
Photography Studio	P
Banks, Credit Unions and other Depository Institutions	P
Banks, Credit Unions and other Depository Institutions with Drive-Through (drive-thru prohibited on Euclid Avenue and Holt Boulevard)	C
Check Cashing	A
Barber Shop & Beauty/Nail Salon	P
Tailor	P
Travel Agency	P
Jewelry and Watches/Clocks	P
Locksmith/Key Shop	P
Shoe Repair	P
Temporary and Interim Uses	
Parking Lot Sales	P
Street/Craft Fair and Farmers Markets	P


Exhibit 2-1
Land Use Plan
Downtown Civic Center P.U.D.
Legend
TH Town Homes
APT Apartments
MU Mixed Use
CP Civic Plaza
Sultana Avenue
Cherry Avenue
Plum Avenue
Lemon Avenue
Eucild Avenue
Holt Boulevard
D Street
C Street
B Street
C Street
Cherry Avenue
University of La Verne Law School
Parking
Library
Senior Center
Parking
City Hall
Parking
Public Safety Building
MU C1
CP B1
MU A1
APT A2
TH A3/A4
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June 6, 2006

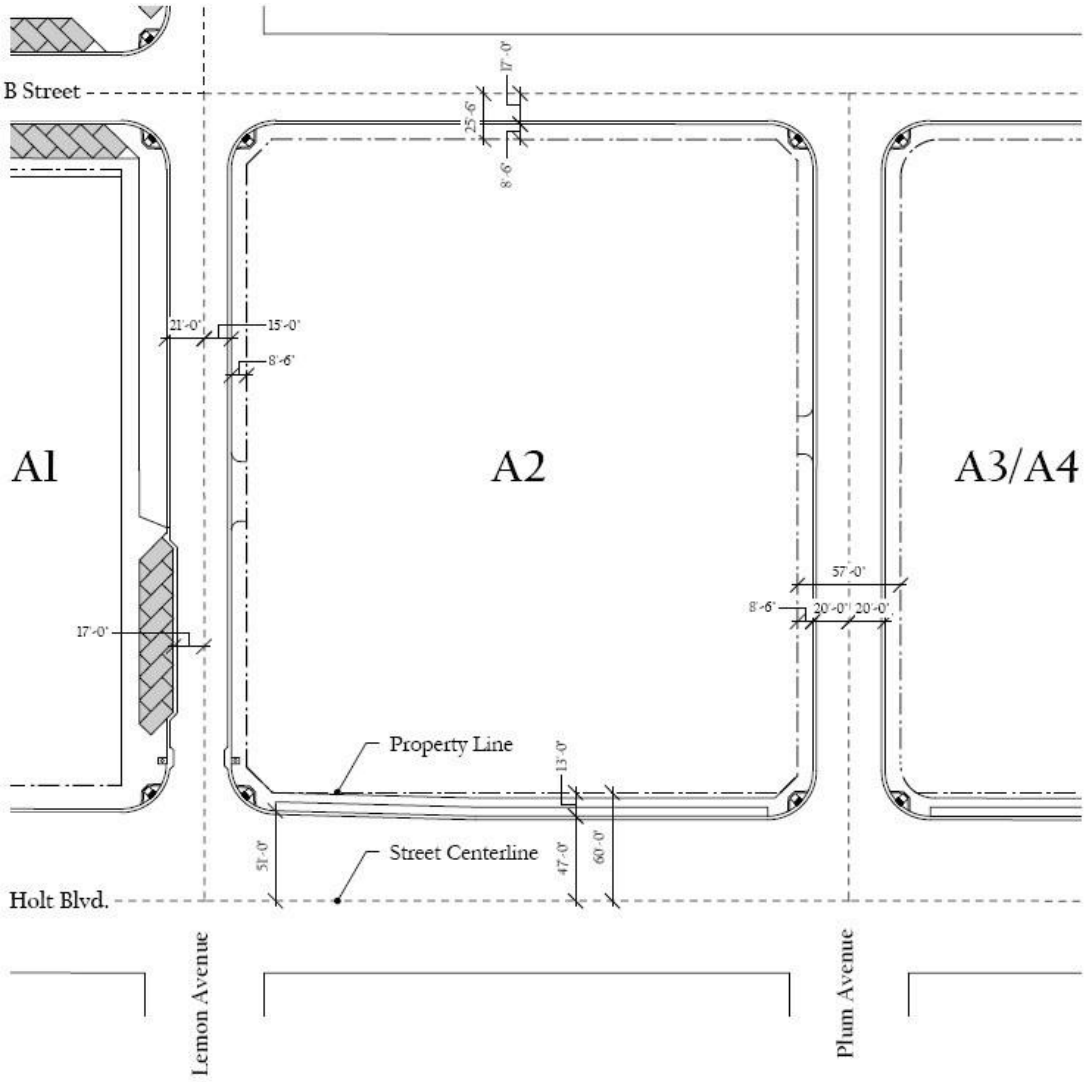


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Exhibit 2-2

Street Rights of Way/Property Lines - Block A1

Downtown Civic Center P.U.D.



LEGEND

Conceptual angled parking layout

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Exhibit 2-3

Street Rights of Way/Property Lines - Block A2

Downtown Civic Center P.U.D.

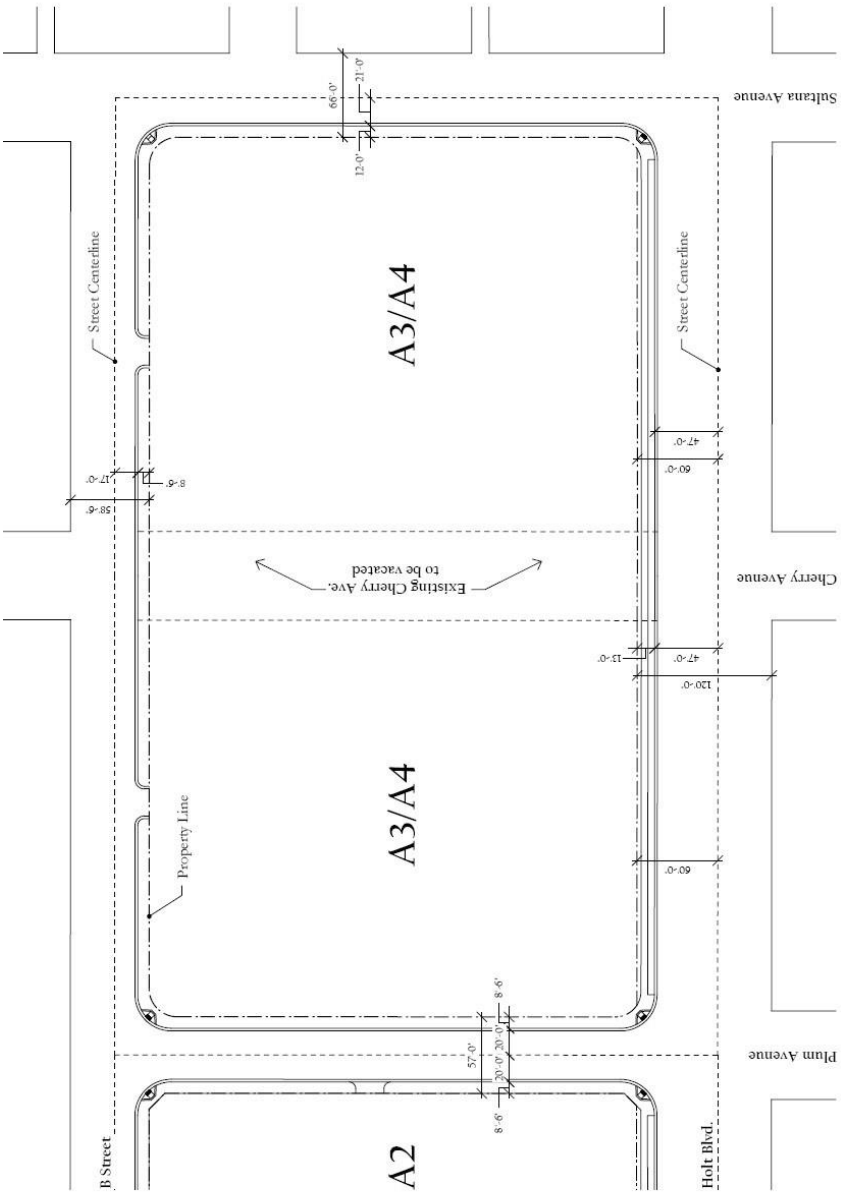
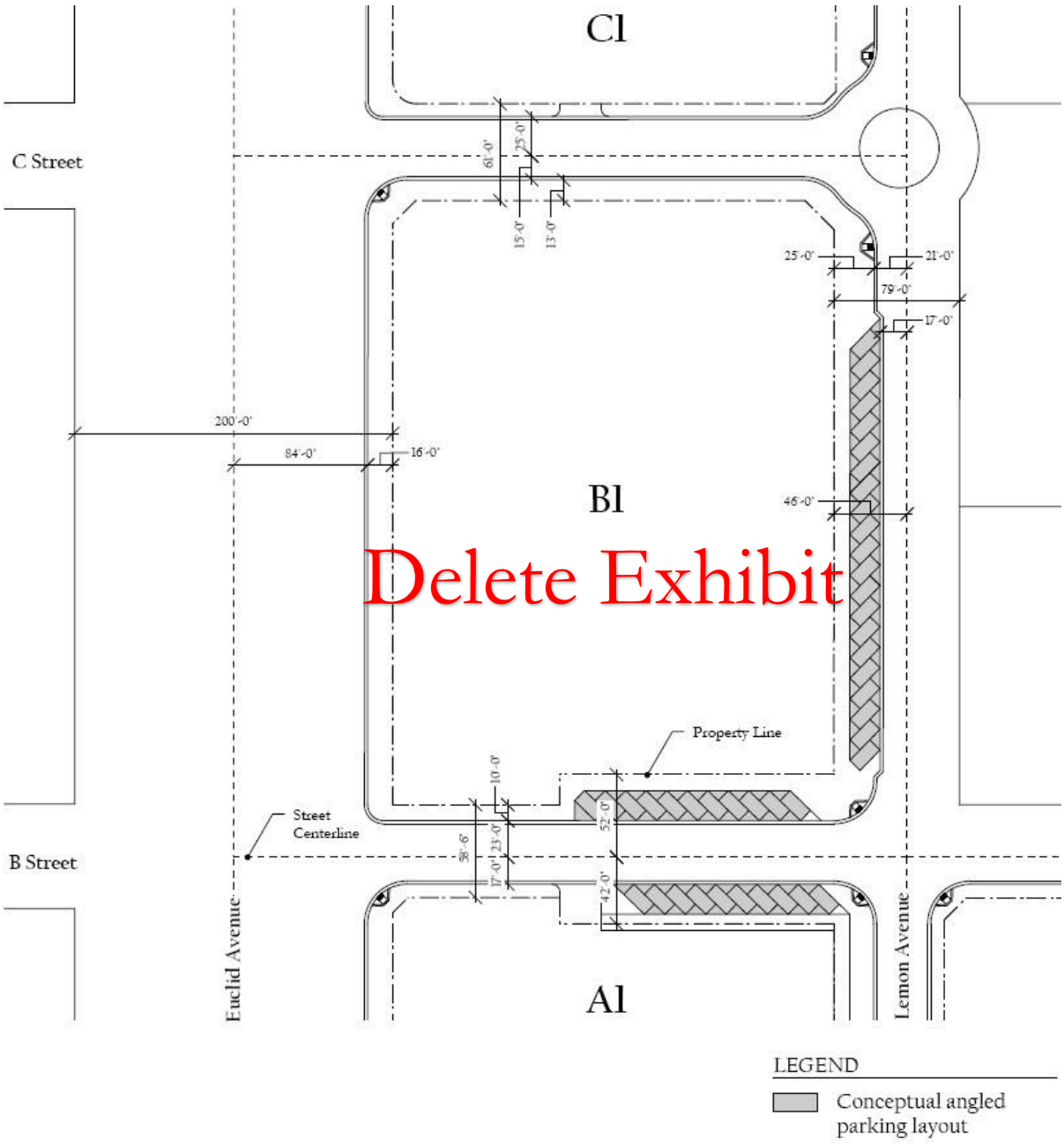


Exhibit 2-4

Street Rights of Way/Property Lines - Block A3/A4
Downtown Civic Center P.U.D.

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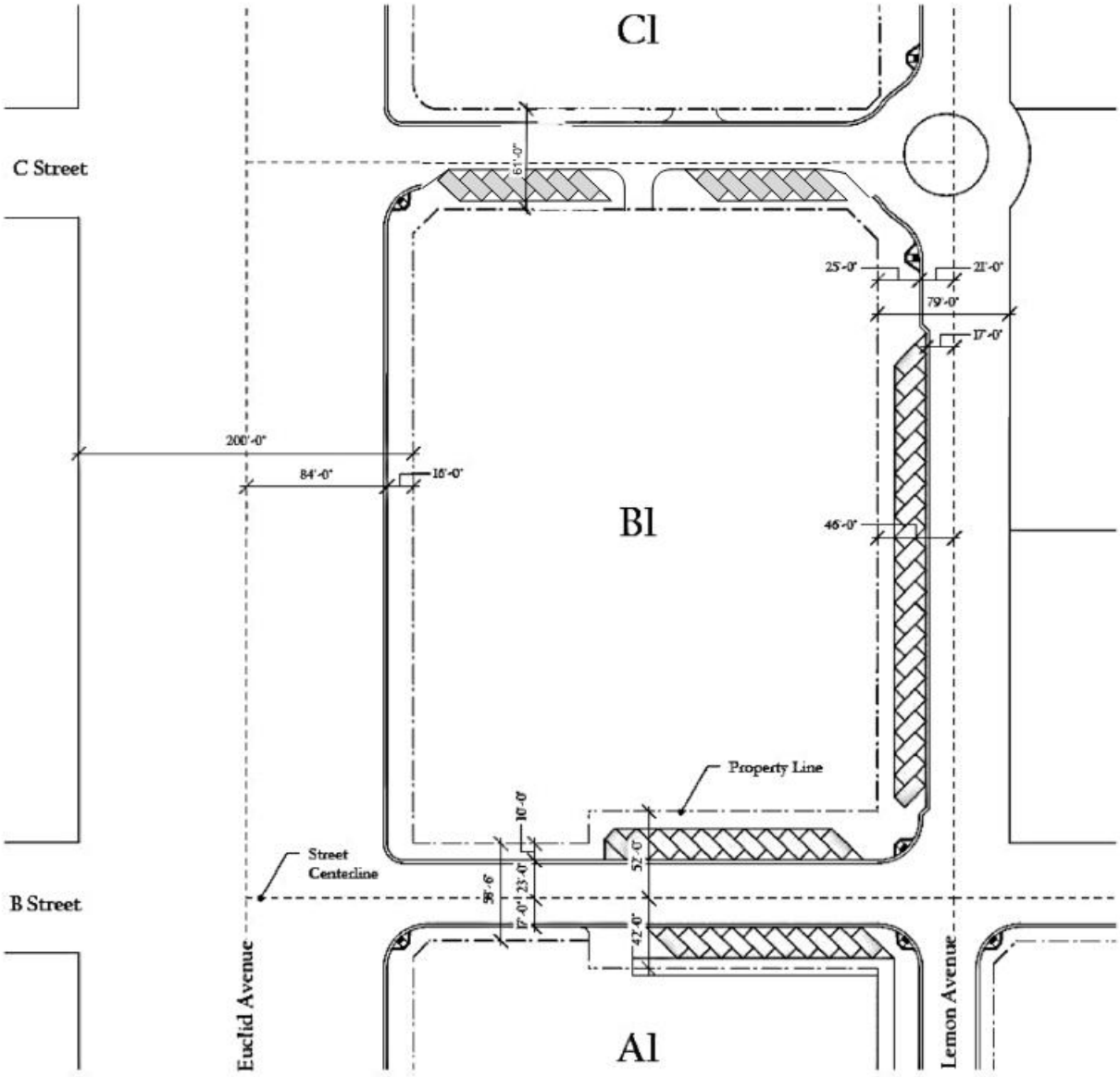


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Street Rights of Way/Property Lines - Block B1

Downtown Civic Center P.U.D.

Exhibit 2-5

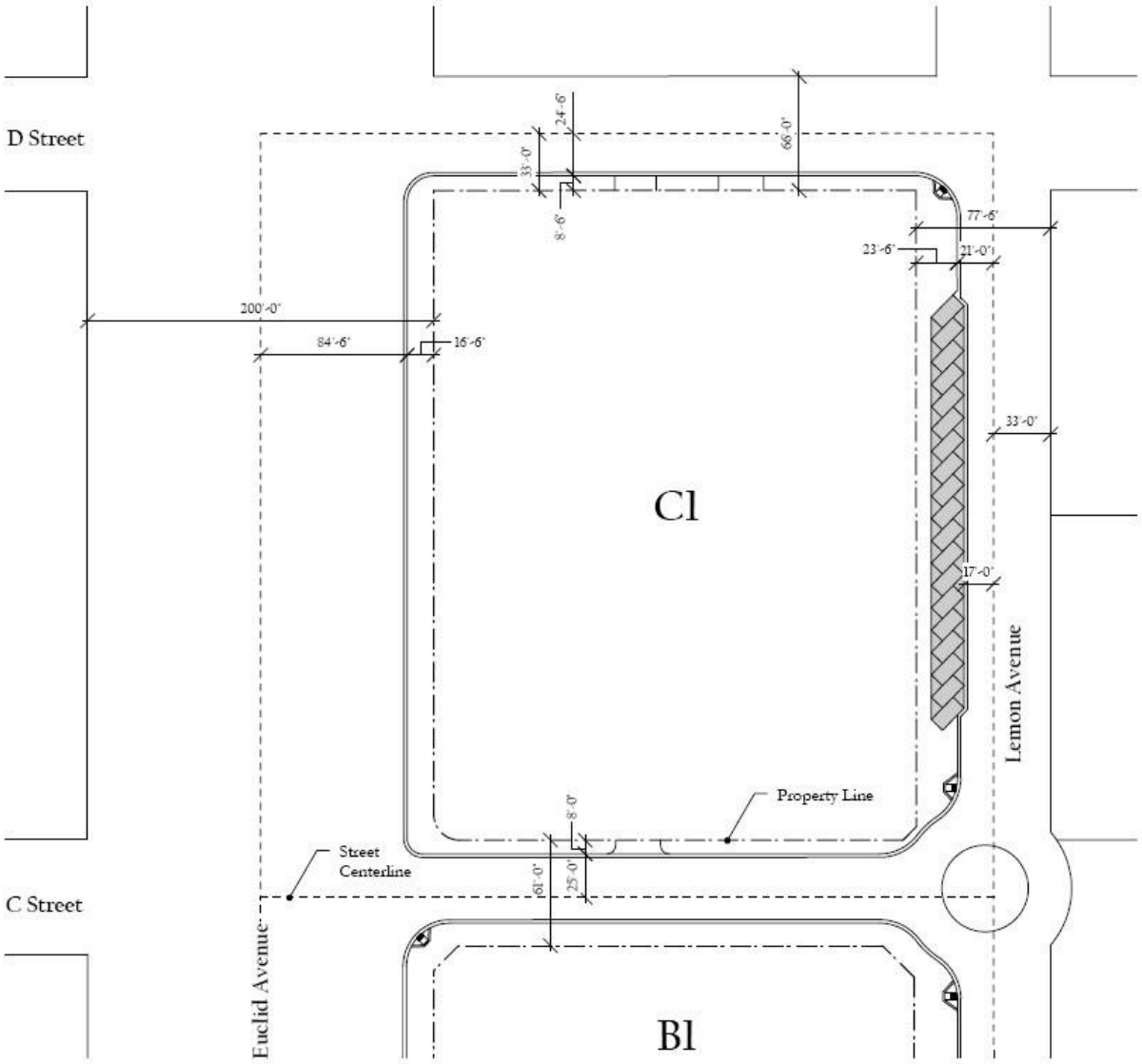


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Street Rights of Way/Property Lines - Block B1

Downtown Civic Center P.U.D.

Exhibit 230



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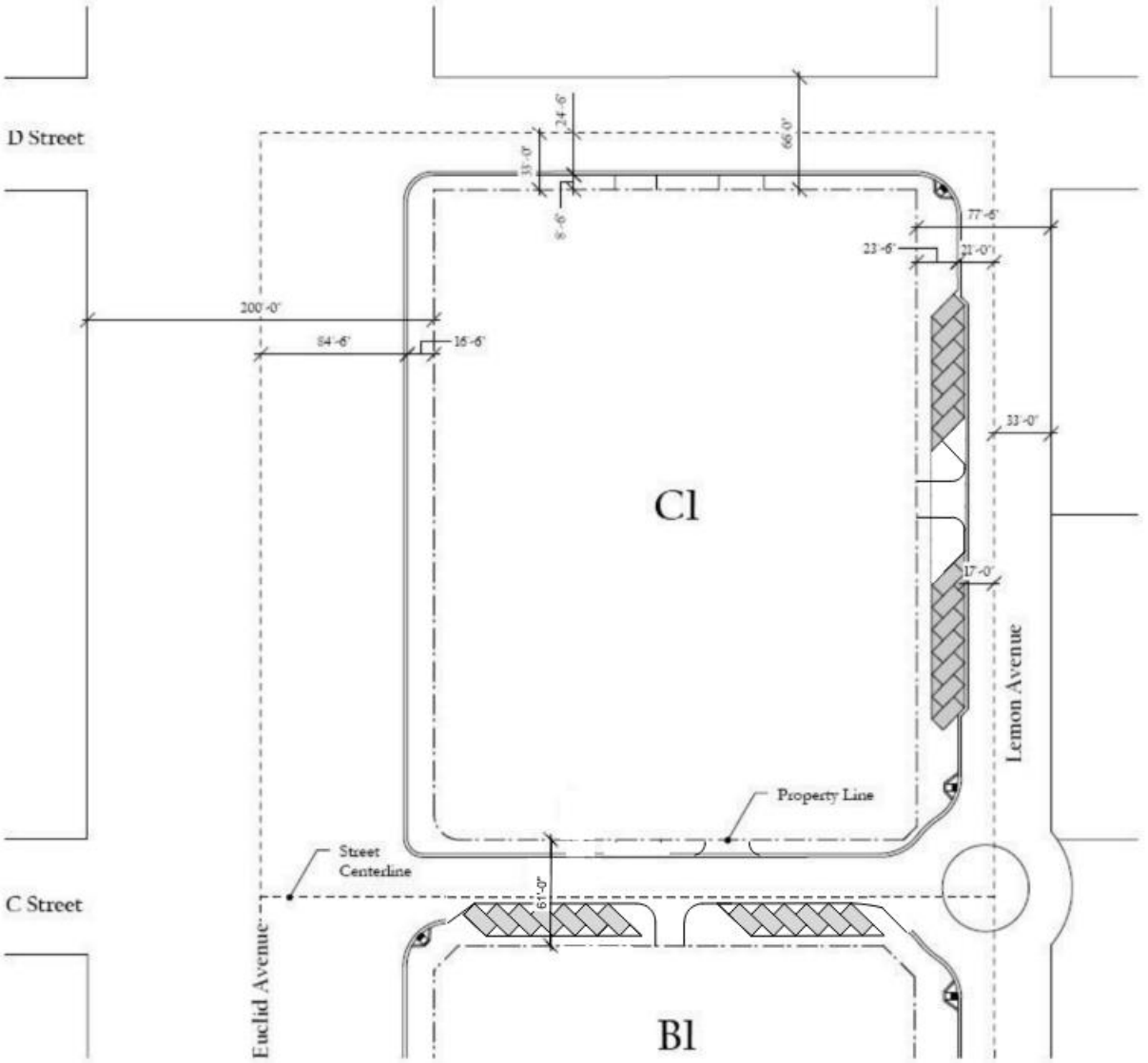
Conceptual angled parking layout

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Exhibit 2-6

Street Rights of Way/Property Lines - Block C1

Downtown Civic Center P.U.D.



LEGEND

Conceptual angled parking layout

not to scale

Street Rights of Way/Property Lines - Block C1

Downtown Civic Center P.U.D.

Exhibit 232

2.1.2 INTENSITIES

- Total building area of commercial uses at Blocks A1 and C1 shall not exceed a 0.4 floor area ratio, based on the net site area
- Residential units in Block A1 shall be developed at a density of 45 to 65 dwelling units/acre
- Residential units in Block C1 shall be developed at a density of 45 to 65 dwelling units/acre
- The total floor area ratio (as defined in the Ontario Development Code) for all development in each block shall not exceed 2.7

2.1.3 SIMILAR USES

Other land uses may be allowed, provided that the Zoning Administrator or his or her designee makes a finding that such other use is similar to or no more objectionable than those uses listed in Table 2-1.

2.2 CIVIC PLAZA (BLOCK B1)

Block B1 will be developed as a public plaza area, with 2 restaurant/retail pads at the northwest and southwest corners. The open plaza will contain decorative hardscape and landscape elements, along with seating and possibly other pedestrian amenities, to provide passive recreation opportunities for downtown area employees and shoppers and function as a visual window and pedestrian linkage into the civic center area. The Bank of Italy building, located at the southwest corner of Block B1, is considered historically significant and will be preserved/rehabilitated to enable occupancy by a restaurant and/or other businesses targeting local workers, shoppers, and residents. A new building will be constructed at the northwest corner, also to provide space for businesses catering to local shopping, dining and possibly entertainment opportunities. Outdoor dining areas may be established adjacent to each of the commercial buildings. On-site surface parking will not be permitted unless a parking demand/supply study indicates there is insufficient on-street parking or other nearby public parking resources. This is intended to maintain the open character and public plaza functions of this block.

Pursuant to the Ontario Development Code, a Development Plan shall be submitted for approval of a site plan, landscaping, parking, building footprints, architectural style, materials and colors, signs, public amenities, street trees, streetlights and public furniture.

2.2.1 PERMITTED USES

- Restaurants only on the ground floor; however, sales and professional offices (excluding medical services) are permitted as interim uses. On the second floor, all commercial uses allowed in the Mixed Use District are permitted
- Outdoor public recreation and civic activities
- Surface parking for public use

2.2.2 INTENSITIES

- Ground floor commercial uses shall not exceed a total of 10,000 square feet; second floor space shall not exceed 5,000 square feet
- Surface parking, if required, shall not cover more than 10 percent of the net site area

2.3 APARTMENTS (BLOCK A2)

This block will be developed with high quality, attached rental housing units, with 3 levels of housing over a partially underground parking structure that is screened to minimize visual impacts. Indoor and outdoor recreation amenities will be provided in one common area serving all residents. One and 2-bedroom floor plans will meet a variety of household lifestyle preferences. These homes will provide opportunities for people who work in the downtown area and cannot afford or prefer not to buy a home, to live within walking or biking distance of their jobs.

2.3.1 PERMITTED USES

- Multiple-family dwellings (i.e. apartments)
- Home occupations, in accordance with the Ontario Development Code
- Small, domesticated animal keeping, with a maximum combination of 2 cats, dogs and/or other small domesticated animals
- Outdoor and indoor recreation facilities and amenities for use by on-site residents and their guests
- Structured vehicle parking

2.3.2 INTENSITY

- Up to 65 dwelling units/acre, not to exceed a total of 160 units

2.4 TOWNHOMES (BLOCKS A3 AND A4)

Cherry Avenue will be vacated and Blocks A3 and A4 will be merged into a single development site. It will contain groupings of attractively designed, attached dwellings that will provide opportunities for work force housing in the downtown area. Two levels of living space will be built over ground floor garages, in a 3-story 'walk-up' configuration for all units. A ground-level common area will provide outdoor and indoor recreation amenities for all residents.

2.4.1 PERMITTED USES

- Multiple-family dwellings, with attached two-stall garages (includes "for sale" and "for rent" dwellings)
- Home occupations, in accordance with the Ontario Development Code

- Household pets, limited to a maximum of 3 animals
- Private and common outdoor and indoor recreation amenities for use by on-site residents and their guests
- Small family day care facilities, in accordance with the Ontario Development Code

2.4.2 INTENSITY

- 25-35 dwelling units/acre, not to exceed 140 total dwelling units

3.0 REGULATIONS FOR DEVELOPMENT

This section sets forth standards to govern the placement, height and bulk of permitted buildings and other structures, to establish locational criteria for vehicular access to development sites, to establish parking and loading requirements, to specify minimum requirements for recreational amenities for residential uses, outline sign standards for commercial uses and identify historic preservation features to be incorporated into Development Plans. Unless otherwise stated herein, all development within the project area shall meet the applicable standards and requirements of the Ontario Development Code.

3.1 COMMERCIAL/RESIDENTIAL MIXED USE (BLOCKS A1 AND C1)

3.1.1 BUILDING ENVELOPE

- Commercial, public safety, and/or academic uses shall be on the ground floor level.

- Residential units shall be located primarily on the second floor and higher levels. Residential units may be located on the ground floor behind commercial units which front Euclid Avenue.

- Structured parking for residential uses shall be underground or on the upper levels of a parking structure facility, and parking for other uses shall be at ground level.

- Total building height (to flat roofline) shall not exceed 50 feet above the highest existing sidewalk elevation. Architectural projections, such as parapets, roofed towers and gable roofs, or elevator towers may extend up to ~~60~~65 feet above the highest existing sidewalk elevation. Any rooftop mechanical, venting or communications equipment shall be built within or otherwise screened by the roof structure, so that they do not project above parapets and are not visible from any public rights-of-way or neighboring buildings. Temporary construction and/or maintenance machinery shall not exceed a height of 122 feet, measured from existing grade.

- Buildings along Euclid Avenue (Block C1) and Holt Avenue (Block A1) shall be placed at the edge of the public right-of-way. Buildings sited along the other frontages of Block C1 shall have the minimum setbacks shown on Exhibits 3-1 and 3-2, and as specified in Table 3-1. Building setbacks and projections therefrom for Block A1 shall be specified in the Development Plan submitted for that block. Awnings, canopies, residential balconies, commercial signs, and decorative architectural elements may encroach into the public rights-of-way, as specified in Table 3-1.

- A minimum 6-foot wide clear area shall be maintained for pedestrian circulation within the public right-of-way. This may be reduced to 4 feet in width adjacent to City-approved outdoor dining facilities or tree grates.

- Any yard areas provided between the main building and the adjacent right-of-way may be finished with a hardscape or with landscape elements. Landscaping shall include materials selected from the master plant palette described in Table 4-1 herein.

- Above ground utility closets, electrical transformers, backflow prevention devices, fire department connections and similar items may be placed anywhere within a perimeter yard area,

and may require screening measures, as approved by the Planning Director. Underground utility enclosures, such as electrical transformer vaults, may be placed within the street right-of-way, subject to approval by the City Engineer Director.

3.1.2 VEHICULAR ACCESS AND PARKING FACILITIES

- For Block A1, vehicular access shall be limited to no more than 2 locations along Lemon Avenue and no more than 2 on B Street, as approved by the City Engineer
- For Block C1, vehicular access shall be limited to one location on "C" Street, one location of Lemon Avenue, and no more than 2 locations on D Street, as approved by the City Engineer
- All parking required to meet the quantitative standards set forth in Section 3.1.3 shall be provided on site. Inoperable vehicles shall not be stored in any parking area.
- Angled parking spaces shall be incorporated into the western side of Lemon Avenue and both sides of "B" Street, as approved by the City Engineer

3.1.3 PARKING SUPPLY AND DESIGN

- Commercial: Minimum 1 space/250 square feet gross floor area for all permitted or conditionally permitted uses.
- Residential Condominiums: 1.2 spaces/bedroom, including guest parking
- Standard~~, compact~~ and~~/or~~ tandem parking spaces are permitted. ~~Compact spaces may comprise up to 20 percent of the total spaces and tandem~~Tandem spaces may comprise up to 20 percent of the total spaces, if supported by a parking study approved by the Planning Director. All pairs of tandem spaces shall be assigned to the same dwelling unit. A tandem space is defined as the smaller of 2 parking spaces, paired end-to-end, which is blocked by the standard-size space (see Exhibit 3-9).
- Parking space dimensions, drive aisles, etc. shall generally conform to the design standards set forth in Division 6.03 (Off-Street Parking and Loading) of the Ontario Development Code. Standard dimensions for the structured parking areas shall be as shown in Exhibit 3-9.
- A parking management plan shall be submitted for Planning Director approval, prior to issuance of building permits. This plan shall justify the mix and sizing of compact and tandem spaces, shall indicate how the residential parking will be restricted to avoid overflow into the commercial parking area, and shall ensure that tandem parking spaces will be assigned to residents of the same homes.
- Parking spaces shall not obstruct access to building entrances, trash storage areas or loading areas

3.1.4 RESIDENTIAL RECREATION AREA

- Private outdoor open space (balconies) shall be provided for at least 90 percent of all homes. At least 80 percent of all balconies shall have a minimum dimension of 6 feet and the

remainder shall have a minimum dimension of 3 feet. The average area of all balconies shall be 56 square feet. The minimum area for a balcony shall be 50 square feet.

- Common open space/recreation amenities shall be provided on the podium or ground level of the project, at a minimum ratio of 200 square feet per dwelling unit. This may include a combination of passive and active, indoor and outdoor spaces, and landscaped and hardscaped ground surfaces, and shall include an outdoor pool. Such common area does not include walkways and corridors between buildings, areas occupied by utility equipment or any perimeter yards abutting the public right-of-way. Outdoor recreation areas shall comprise a minimum of 80 percent of the total common recreation area.

3.1.5 SERVICE FACILITIES

- Loading/Unloading areas shall be provided on site, at the ground level, adjacent to commercial buildings. One such area shall be provided for each building 7,500 square feet GFA or larger. Design shall be as approved by the Planning and Public Works Directors.

- Loading/Unloading for residential uses shall be limited to the C ~~and D~~ Street and Lemon Avenue frontages.~~,~~ Location, signage and any hourly restrictions to be imposed on such areas shall be approved by the City Engineer.

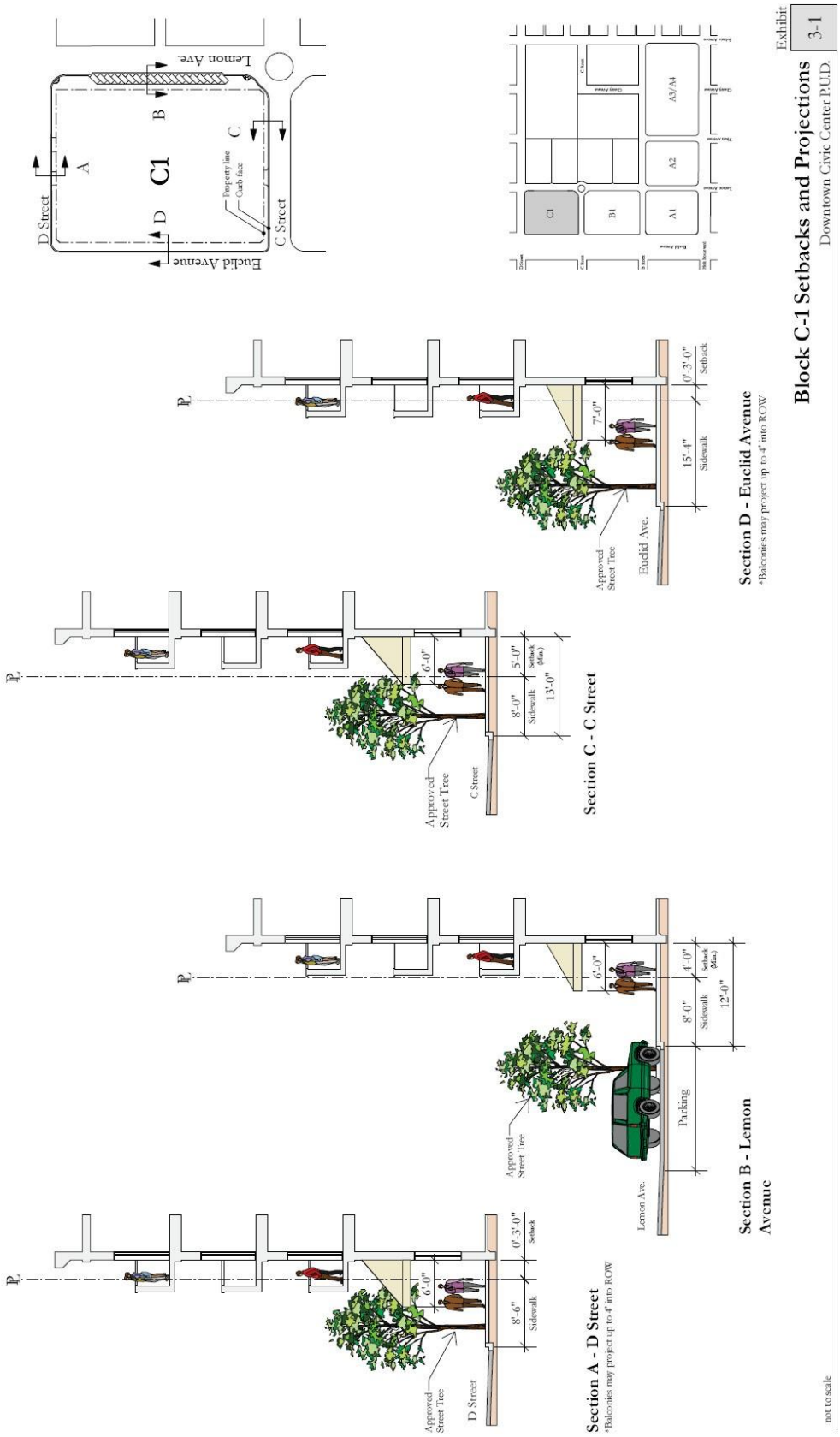
- Trash receptacles/recyclable container storage areas ~~shall~~ may be provided for all commercial and residential uses, within the ground floor parking structure area. Commercial trash/recyclable receptacles that are located within the ground floor parking structure area shall be partially enclosed and residential receptacle/storage areas shall be fully enclosed, to house the outlet of the trash chute system required for the condominium levels. Such receptacle/storage area may receive trash from commercial and residential sources. Locations, sizes and design of such areas shall be readily accessible by trash disposal company equipment and work crews, as approved by the Planning and Public Works Directors, in consultation with the trash disposal vendor.

3.1.6 SIGNS

- A Master Sign Program for each block shall be submitted for approval by the Planning Director, prior to issuance of a building permit. The sign program shall be consistent with the Downtown Ontario Design Guidelines, and shall include tenant signs, pedestrian signs, directional signs, historical markers, etc.

3.1.7 LANDSCAPE PLAN

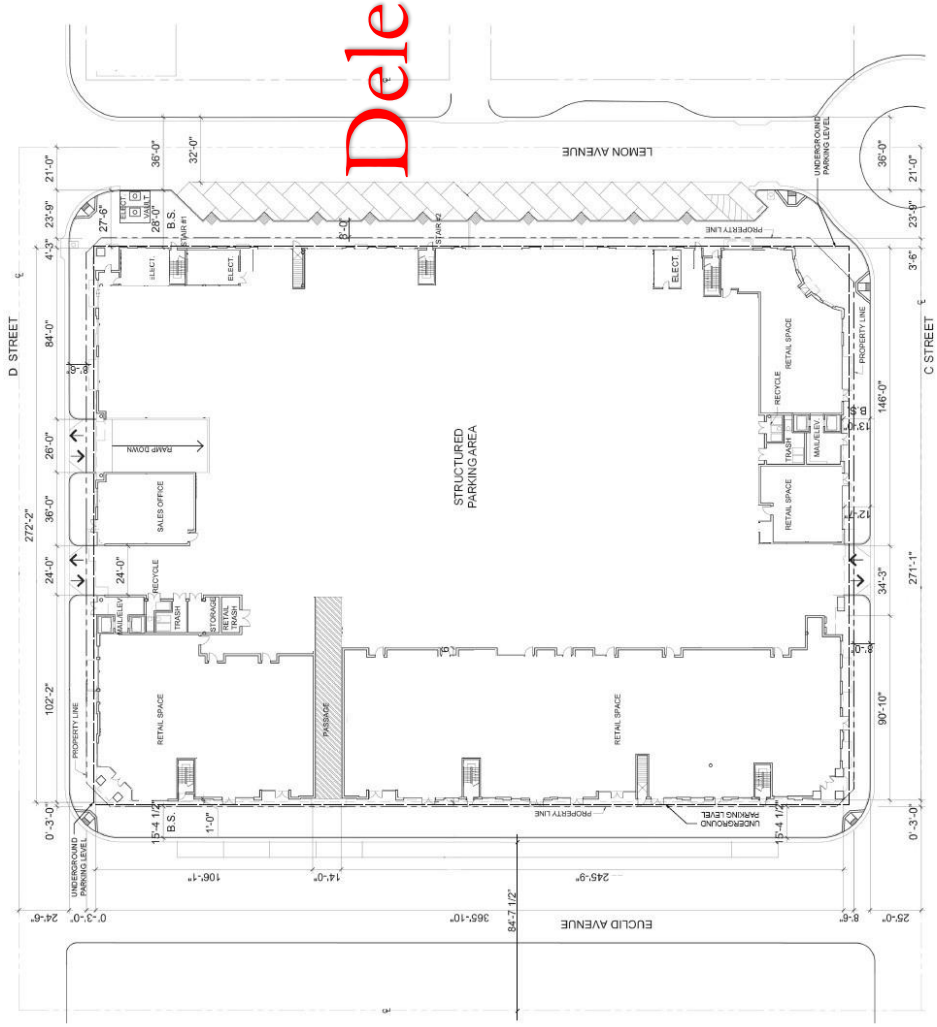
- A detailed landscape plan shall be submitted with the Development Plan, specifying all landscape and hardscape elements of the common open space area, as well as the perimeter yards abutting the street rights-of-way and all street trees. The final plan shall also show the location of all ground level utility boxes and mechanical equipment, along with methods of screening such devices from the public right-of-way and adjacent residences, where possible. The landscape plan shall incorporate ~~appropriate elements of~~ the master plant palette for this PUD, set forth in Table ~~Section~~ 4.1 herein.

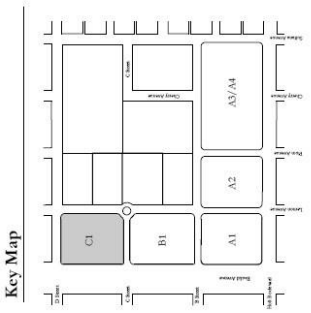

Exhibit 3-1
Block C-1 Setbacks and Projections
Downtown Civic Center PUD.
Lemon Ave.
Euclid Avenue
D Street
C Street
A
B
C
D
C1
Property line
Curb face
C1
B1
A1
A2
A3/A4
Section D - Euclid Avenue
*Balconies may project up to 4' into ROW
Approved Street Tree
Euclid Ave.
7'-0"
15'-4"
Sidewalk
0'-3'-0"
Setback
Section C - C Street
Approved Street Tree
C Street
6'-0"
8'-0"
Sidewalk
5'-0"
Setback (Max.)
13'-0"
Section B - Lemon Avenue
Approved Street Tree
Lemon Ave.
6'-0"
Parking
8'-0"
Sidewalk
4'-0"
Setback (Max.)
12'-0"
Section A - D Street
*Balconies may project up to 4' into ROW
Approved Street Tree
D Street
6'-0"
8'-6"
Sidewalk
0'-3'-0"
Setback
not to scale

Delete Exhibit

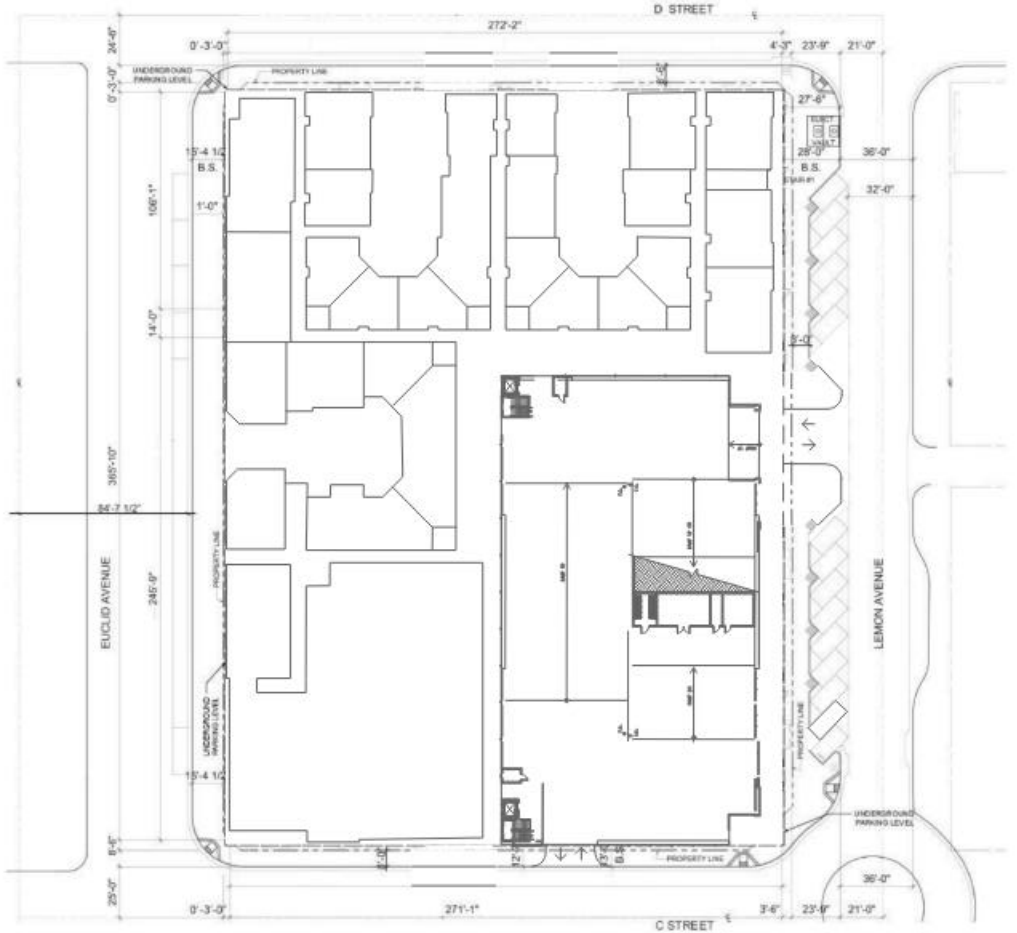
Exhibit 3-2

Building Envelope - Block C1
Downtown Civic Center P.U.D.





not to scale



Key Map



not to scale

Building Envelope - Block C1

Downtown Civic Center P.U.D.

Exhibit 3-2

3.2 CIVIC PLAZA (BLOCK B1)

3.2.1 BUILDING ENVELOPE (COMMERCIAL PADS ONLY)

- Buildings may be one or 2-story, not to exceed 35 feet high, measured from highest adjacent existing sidewalk elevation. Architectural projections may extend up to 45 feet high.

- Buildings may be built up to the Euclid Avenue, B Street and C Street rights-of-way. Any building shoring shall not extend into the public right-of-way.

3.2.2 VEHICULAR ACCESS AND PARKING FACILITIES

- Vehicular access shall be limited to no more than 2 locations on Lemon Avenue and one on B Street, as approved by the City Traffic Engineer.

- Vehicle parking on site shall be located along Lemon Avenue

- Parking shall cover no more than 25 percent of the net site area

3.2.3 PARKING SUPPLY AND DESIGN

- The number of vehicle parking spaces provided on site shall be determined in a parking demand/supply study included as a supporting document for the Development Plan submitted for Block B1. Space and aisle dimensions shall be in accordance with the standards set forth in the Ontario Development Code. Canopy trees shall be provided within the parking area, as approved by the City's Landscape Planner.

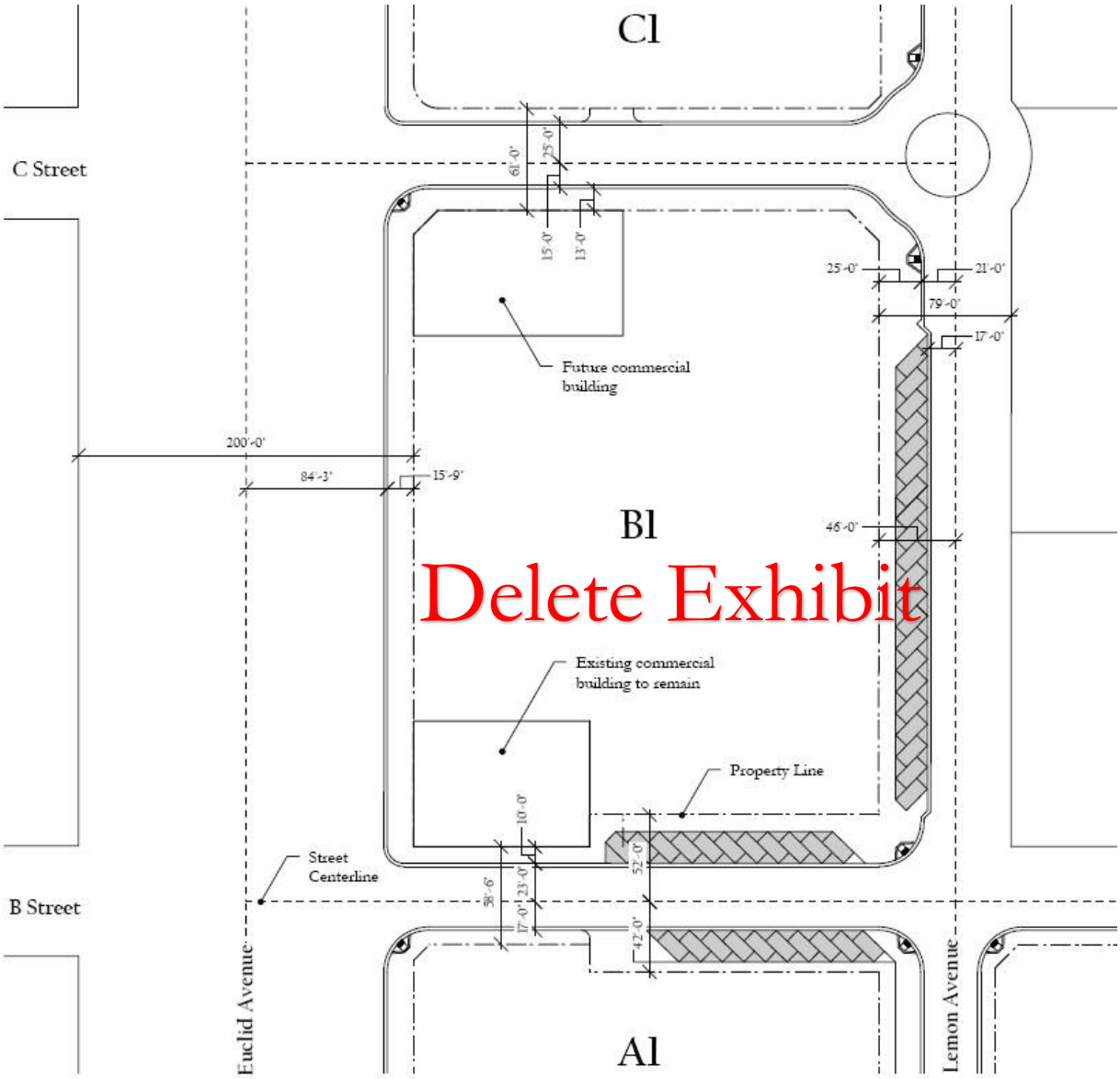
3.2.4 SERVICE FACILITIES

- Loading/unloading for the commercial sites shall be limited to the B and C Street frontages. Location, signage and any hourly restrictions for such areas shall be approved by the Planning and Public Works Directors.

- A decorative trash enclosure, with 4 sides and a partially enclosed roof element, shall be provided within the vehicle parking area. This shall be sized to provide sufficient trash receptacle/recyclable container storage for both commercial buildings. Materials, style and colors shall be compatible with the architectural elements of the 2 commercial buildings and consistent with the traditional downtown theme for the downtown area. The trash enclosure design shall be approved by the Planning and Public Works Directors.

3.2.5 SIGNS

- A master sign program for all private and public signs shall be submitted for approval by the Planning Director, prior to issuance of a building permit. All signs shall be consistent with the Downtown Ontario Design Guidelines.

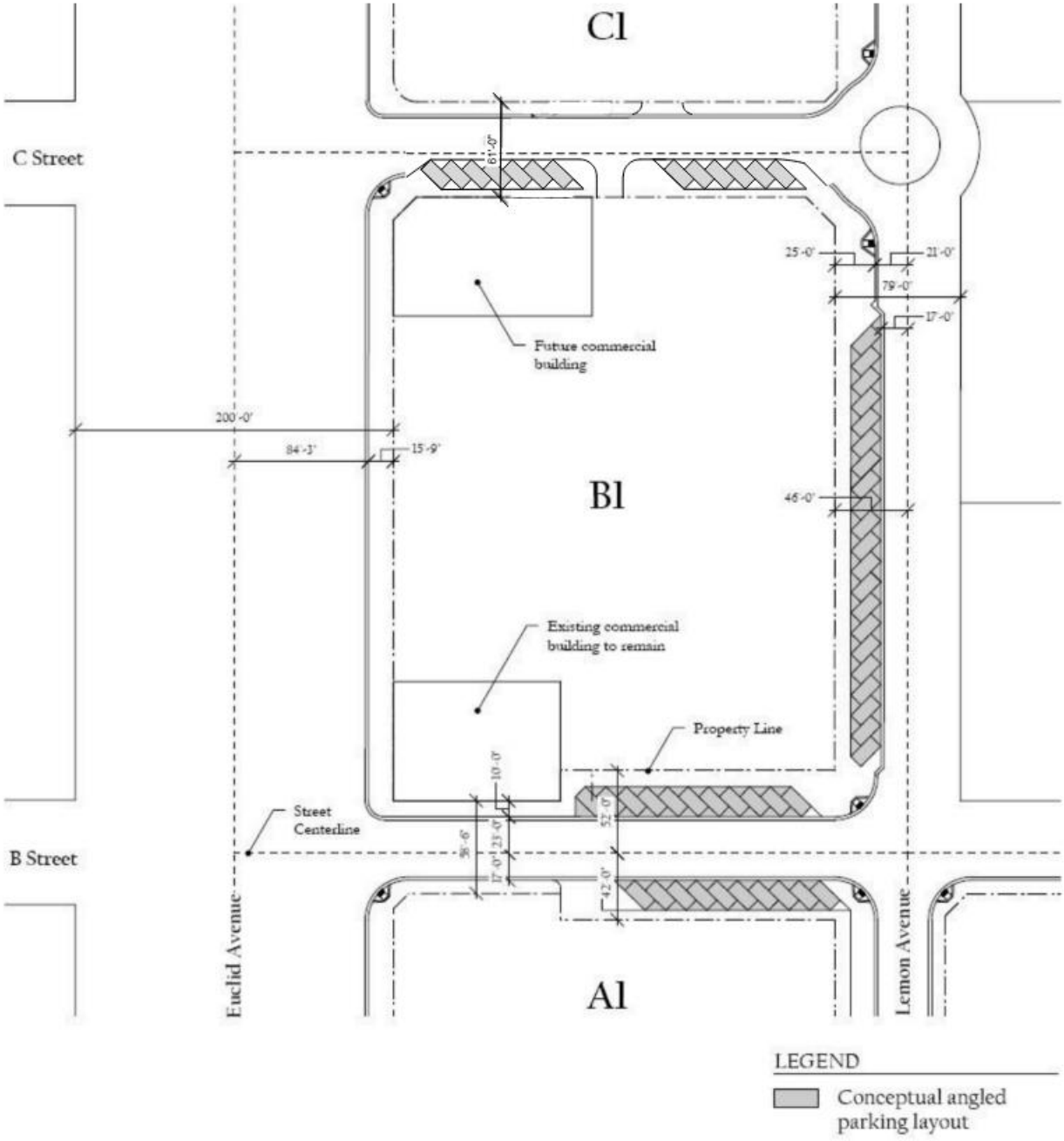


not to scale

Exhibit 3-3

Conceptual Building Envelope - Block B1

Downtown Civic Center P.U.D.



not to scale

Conceptual Building Envelope - Block B1

Downtown Civic Center P.U.D.

Exhibit 245

3.3 APARTMENTS (BLOCK A2)

3.3.1 BUILDING ENVELOPE

- Structured parking shall be built in a semi subterranean manner, to minimize the exposure of concrete exteriors along adjacent streets

- Up to 3 levels of residential over structured parking, provided that total maximum building height, measured from the highest sidewalk elevation to the main roof line, does not exceed 50 feet. Architectural projections such as elevator towers or other focal elements may extend up to 60 feet high. Any rooftop mechanical equipment shall be built within or otherwise screened by the roof structure, so that they do not project above the roofline of the building and are not visible from any public rights-of-way or neighboring buildings. Temporary construction and/or maintenance machinery shall not exceed a height of 122 feet from existing grade.

- Building setbacks shall be in conformance with the specifications illustrated on Exhibit 3-3 and 3-4, and as set forth in Table 3-1. Ground-level mechanical equipment, utility closets, etc., may be placed within the required setback area; provided, they are fully screened in accordance with Section 4.3.1 herein. Corner elements may extend closer to the right-of-way line as specified in Table 3.2.

- All perimeter yards abutting street rights-of-way shall be landscaped with a uniform palette of materials, in accordance with the master plant list set forth in Section 4.1 herein.

- Above-ground utility closets, electrical transformers, backflow prevention devices, fire department connections and similar items may be placed anywhere within a perimeter yard area, and may require screening measures, as approved by the Planning Director. Underground utility enclosures, such as electrical transformer vaults, may be placed within the street right-of-way, subject to approval by the City Engineer.

3.3.2 VEHICULAR ACCESS AND PARKING FACILITIES

- Vehicular access shall be limited to one location on Lemon Avenue and one on Plum Avenue, as approved by the City Traffic Engineer, (see Exhibit 3-10).

- All resident parking required to meet the quantitative standards set forth in Section 3.3.4 shall be provided on site. Inoperable vehicles shall not be stored in any parking area.

- Resident parking shall be provided in a semi-subterranean parking structure, with secured access to prevent use by non-residents. Guest/visitor parking is not required on site; adjacent on-street parking is considered sufficient. Parking along Holt Boulevard shall be prohibited.

3.3.3 OUTDOOR RECREATION AND YARDS

- Private outdoor open space shall be provided for each apartment, with a minimum dimension of 5 feet and a minimum area of 50 square feet

- Common open space/recreation amenities shall be provided on the podium level of the project. This may include a combination of passive and active, indoor and outdoor spaces, landscaped and hardscaped ground surfaces, and shall include an outdoor pool. Such common area

does not include walkways and corridors between buildings, areas occupied by utility equipment or any perimeter yards abutting the public right-of-way. Outdoor recreation areas shall comprise a minimum of 80 percent of the total common area.

3.3.4 PARKING SUPPLY AND DESIGN

- One and one-half space for each one-bedroom unit and 2 spaces for each 2-bedroom unit, for residents.

- A combination of standard, compact and tandem spaces may be provided. Compact spaces may comprise up to 31 percent of the total spaces, if supported by a parking study approved by the Planning Director. Tandem-parked spaces may comprise up to 28 percent of the total, if supported by a parking study approved by the Planning Director.

- Parking space dimensions, drive aisles, etc. shall generally conform to the design standards set forth in the Ontario Development Code, except as shown in Exhibit 3-10. A tandem space is defined as the smaller of 2 parking spaces, paired end-to-end, which is blocked by the standard-size space (see Exhibit 3-10).

- Each pair of spaces to be parked in tandem shall be assigned to the same apartment unit, as controlled by the property manager.

3.3.5 SERVICE FACILITIES

- Loading/unloading for residential uses and trash pickup service shall be limited to adjacent street frontages. Location, signage and any hourly restrictions to be imposed on such areas shall be approved by the Planning Director and the City Engineer

- At least 2 trash /recyclable container storage areas shall be provided within the parking structure area. Such areas shall be fully enclosed and readily accessible by trash disposal company equipment and work crews. Locations, sizes and design of such areas shall be approved by the Planning Director and the City Engineer, in consultation with the trash disposal vendor.

3.3.6 LANDSCAPE PLAN

A detailed landscape plan shall be submitted with the Development Plan for this block, specifying all landscape and hardscape elements of the common open space area, as well as the perimeter yards abutting the street rights-of-way, and all street trees. The final plan shall also show the location of all ground level utility boxes and mechanical equipment, along with methods of screening such devices from the public right-of-way and adjacent residences, where possible. The landscape plan shall incorporate ~~appropriate elements of~~ the master plant palette for this PUD, set forth in Table 4.1 herein.

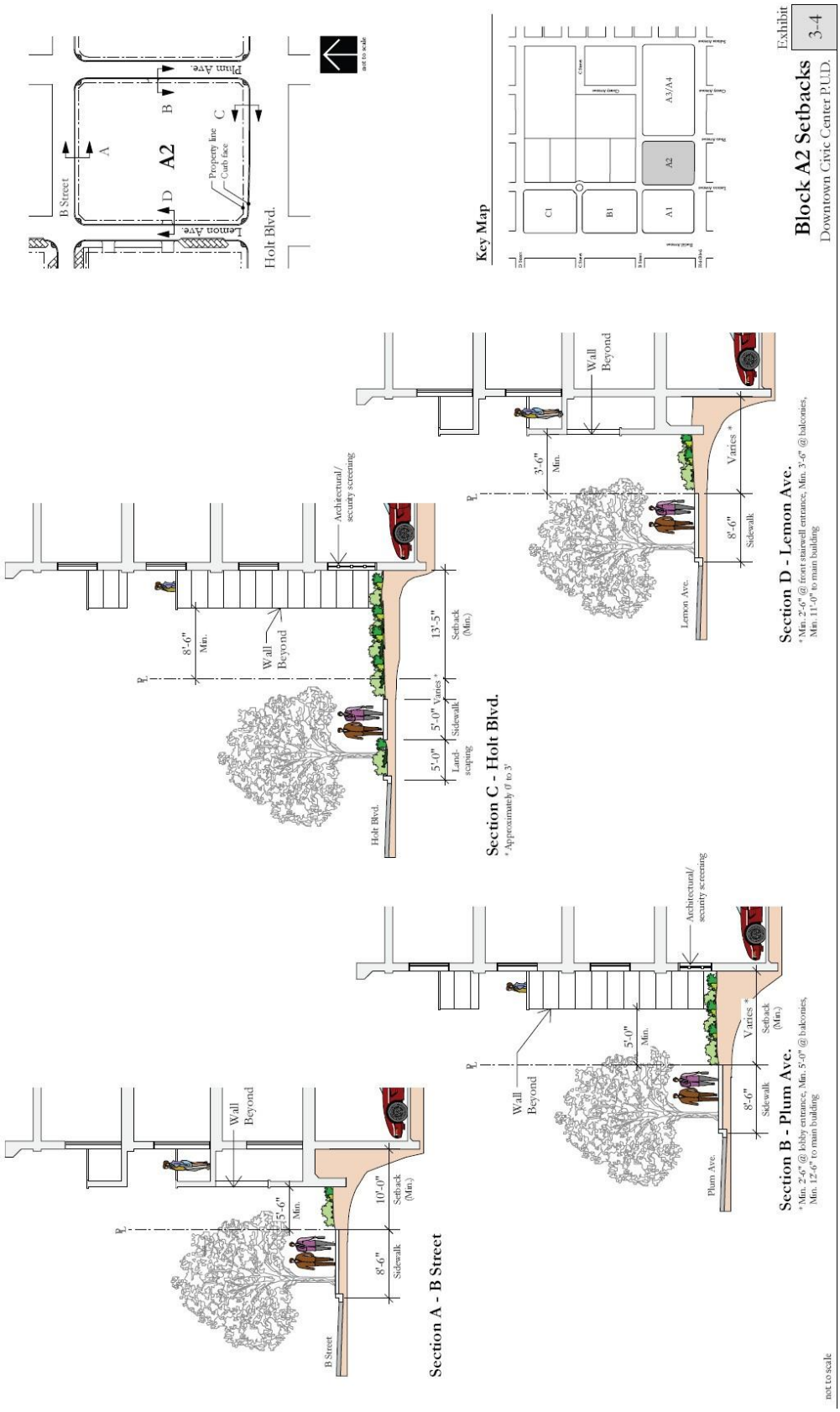
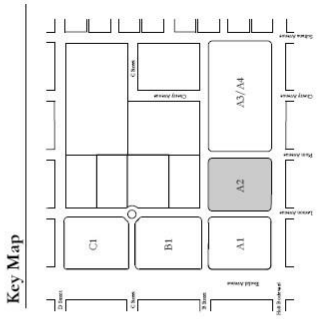
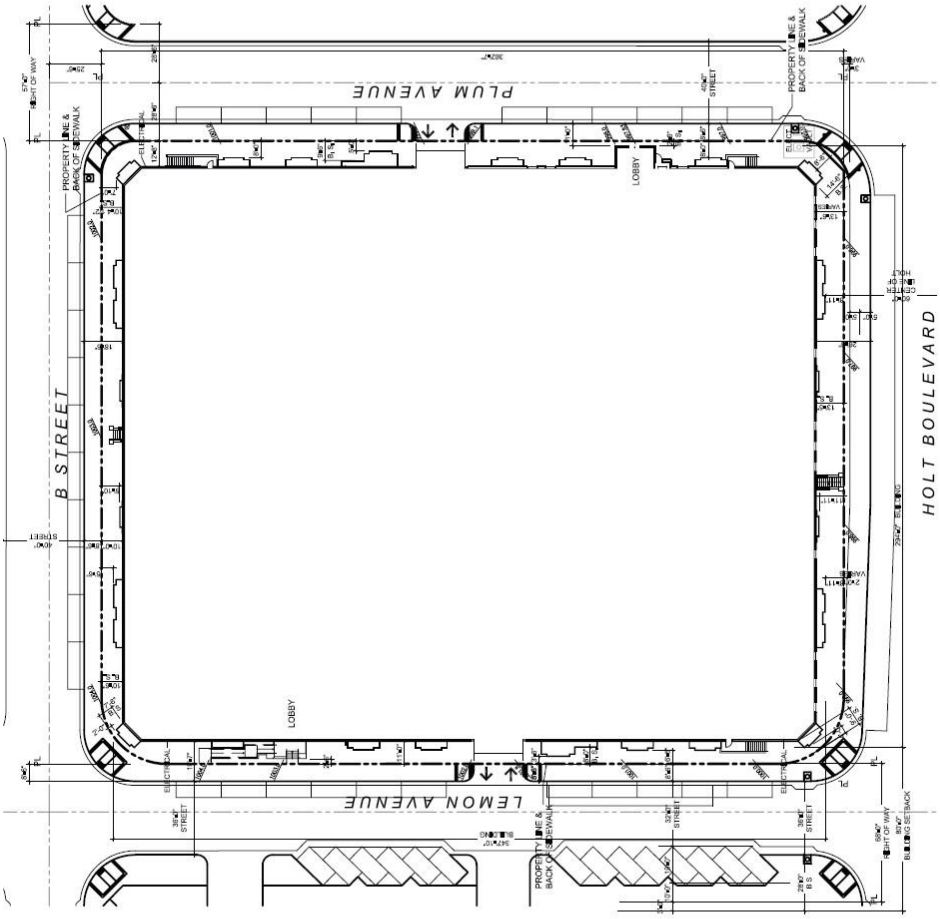

Exhibit 3-4
Block A2 Setbacks
Downtown Civic Center PUD.
Key Map
C1
B1
A1
A2
A3/A4
Plum Ave.
Lemon Ave.
B Street
Holt Blvd.
Property line
Curb face
A
B
C
D
Section A - B Street
Section B - Plum Ave.
* Min. 2'-6" @ lobby entrance, Min. 5'-0" @ balconies, Min. 12'-6" to main building
Section C - Holt Blvd.
* Approximately 0' to 3'
Section D - Lemon Ave.
* Min. 2'-6" @ front stairwell entrance, Min. 3'-6" @ balconies, Min. 11'-0" to main building
Wall Beyond
Architectural/ security screening
Sidewalk
Landscaping
Setback (Min.)
Varies *
not to scale

Exhibit 3-5

Building Envelope - Block A2

Downtown Civic Center PUD.





not to scale

3.4 TOWNHOMES (BLOCKS A3/A4)

3.4.1 BUILDING ENVELOPE

- Buildings shall not exceed 3 stories, with rooflines reaching a maximum height of 40 feet above the highest existing adjacent sidewalk elevation. Architectural projections, chimneys, etc. may extend up to 45 feet high. Any rooftop mechanical equipment shall be built within or otherwise screened by the roof structure, so that they do not project above the roofline of the building and are not visible from any public rights-of-way or neighboring buildings. Temporary construction and/or maintenance machinery shall not exceed a height of 122 feet from existing grade.

- Building setbacks shall be in conformance with the specifications specified in Table 3-2, and illustrated on Exhibits 3-5 and 3-6. Please note that the minimum setback dimensions shown are not intended as a uniform standard along any street frontage. Corner buildings may have smaller setbacks than mid-block building elements and some undulation in building faces is desired to create a sense of movement, particularly along Holt Boulevard. Residential balconies may project into required setback areas up to 5 feet beyond the main building face. Ground-level mechanical equipment, utility closets, etc., may be placed within the required setback area as specified in Table 3-1, provided they are fully screened in accordance with Section 4.3.2 herein.

- All perimeter yards abutting street rights-of-way shall be landscaped with a uniform palette of materials, in accordance with the master plant palette set forth in Table 4.1 herein.

- Above-ground utility closets, electrical transformers, backflow prevention devices, fire department connections and similar items may be placed anywhere within a perimeter yard area, and may require screening measures, as approved by the Planning Director. Underground utility enclosures, such as electrical transformer vaults, may be placed within the street right-of-way, subject to approval by the Public Works Director.

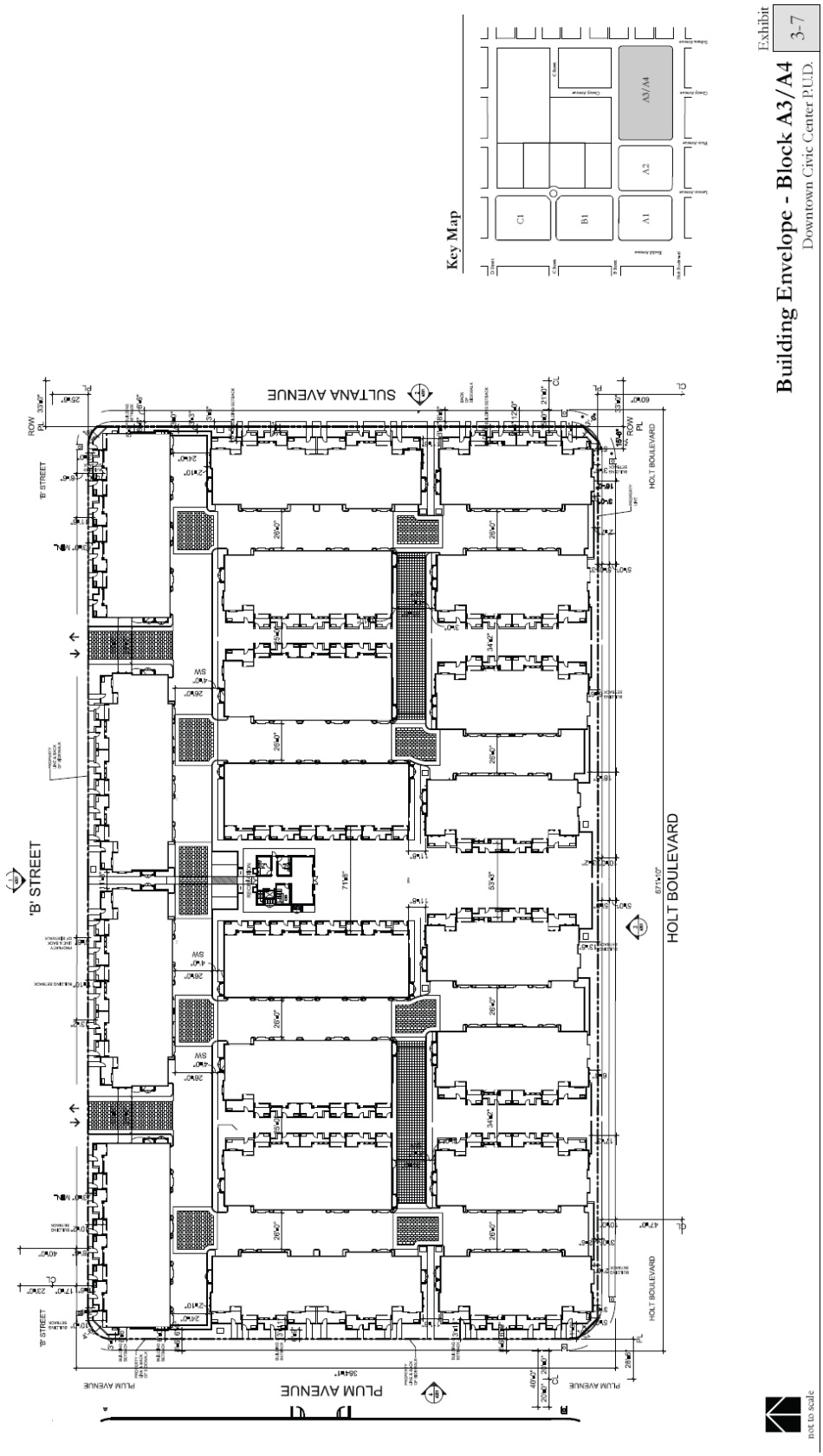
3.4.2 VEHICULAR ACCESS AND PARKING FACILITIES

- Vehicular access shall be limited to 2 locations on B Street. Drive width, length and locations shall be as approved by the City Traffic Engineer.

- Resident parking shall be provided in fully enclosed garages, directly attached to each dwelling unit. Guest parking is not required on site; adjacent on-street parking is considered sufficient. Parking along Holt Boulevard shall be prohibited. Inoperable vehicles shall not be stored anywhere on premises or on any street.

- Space within each garage shall be provided for trash containers; this shall not encroach into space required for vehicle parking.

Exhibit 3-6
Block A3/A4 Setbacks
Downtown Civic Center PUD.
Key Map
A3/A4
A2
A1
B1
C1
B Street
Sultana Ave.
Plum Ave.
Holt Blvd.
A3/A4
Property line
Curb face
* Refer to exhibit 3-8 for corner unit setbacks
not to scale
Section B - Sultana Ave.
42" high patio wall (max.)
10'-6"
Bldg. Setback
3'-0"
3'-6"
Landscaping
8'-6"
Sidewalk
Sultana St.
Section D - Plum Ave.
42" high patio wall (max.)
13'-6"
6'-0"
Plum Ave.
Section A - B Street
B Street
Section C - Holt Blvd.
6' high alley screen wall (max.)
Varies*
Min.
5'-0"
Holt Blvd.
*Min. 5'-6" - however, corner building setback may be reduced to 2'-6"
not to scale


Exhibit 3-7
Building Envelope - Block A3/A4
Downtown Civic Center P.U.D.
Key Map
A3/A4
A2
A1
B1
C1
SULTANA AVENUE
'B' STREET
HOLT BOULEVARD
PLUM AVENUE
not to scale

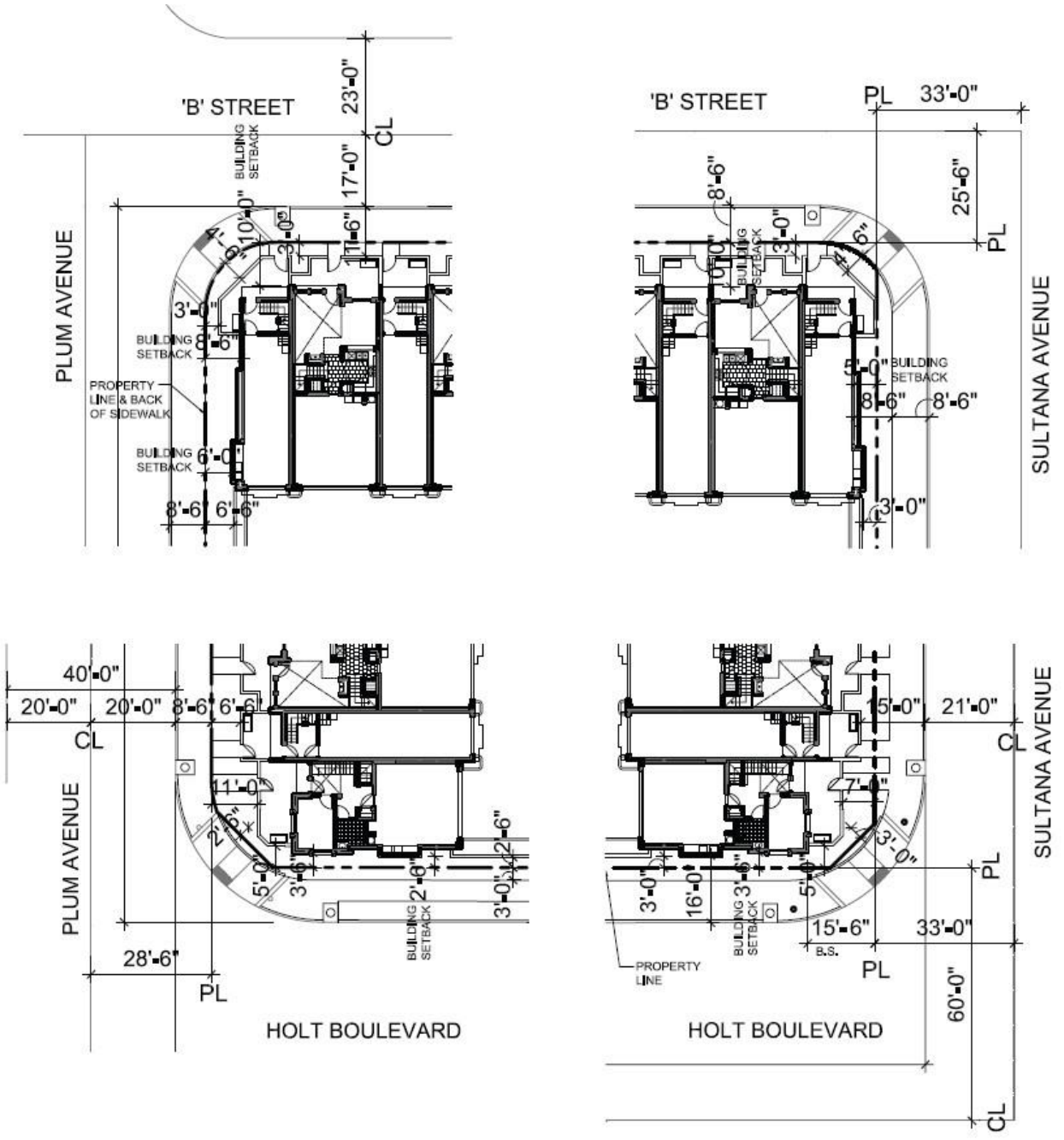


Exhibit 3-8

Corner Unit Setbacks - Block A3/A4

Downtown Civic Center P.U.D.

3.4.3 OUTDOOR RECREATION AREA

- A private, fenced, ground level outdoor open space/recreation area shall be provided for each home. Each such space shall have a minimum dimension of 7 feet and a minimum area of 90 square feet, except for the corner units at "B" St./Plum Ave. and "B" St./Sultana Ave, which shall have a minimum area of 50 square feet.

- Common open space/recreation amenities shall be provided in a central location to facilitate access by all residents. Such amenities may be comprised of active and passive, indoor and outdoor spaces, landscaped and hardscaped ground surfaces, and shall include an outdoor pool. Such common area does not include walkways and corridors between buildings, areas occupied by utility equipment or any perimeter yards abutting the public right-of-way. Outdoor spaces shall comprise a minimum of 80 percent of all common recreation area.

3.4.4 PARKING SUPPLY AND DESIGN

- Two spaces per unit

- Standard, side-by-side parked garages shall have a minimum clear floor area of 19'10" wide x 19'10" long. Openings shall be a minimum of 16 feet wide.

- Tandem-style garages (i.e. 2 spaces paired end-to-end) are permitted for up to 39 percent of the total homes, if justified by a parking study approved by the Planning Director. Each such garage shall have a minimum clear floor area of 11' wide x 36' long. Openings shall be a minimum of 9 feet wide.

3.4.5 FENCES, WALLS AND OTHER BARRIERS

- 42-inch high block walls with finish materials that are complementary to the materials of the townhomes shall be placed around all ground level patios facing streets.

- Up to 42-inch high brick or masonry walls, with a finish treatment that is complementary to the materials of the townhomes, shall be placed around all round-level patios. Walls may extend up to 6 feet in height between adjoining patios.

- Up to 6-foot high block walls with finish materials that are complementary to the materials of the townhomes shall be placed to screen all interior drives from public view.

3.4.6 SERVICE FACILITIES

- Loading/unloading for residents and trash pick-up services shall occur within the private alleys on site. Maximum time limits for such activities shall be restricted by private Covenants, Conditions and Restrictions to ensure adequate emergency vehicle access can be provided. On-street loading shall be prohibited.

3.4.7 LANDSCAPE AND WALLS PLAN

- A detailed landscape, irrigation and walls plan shall be submitted with the Development Plan for this block, specifying all landscape, hardscape and walls/fencing elements of

the private ground level patios and the common open space area, as well as the perimeter yards and alley screen walls abutting the street rights-of-way. The final plan shall also show the location of all ground level utility boxes and mechanical equipment, along with methods of screening such devices from the public right-of-way and adjacent residences, where possible. The landscape plan shall incorporate appropriate elements of the master plant palette for this PUD, set forth in Table 4-1 herein.

3.5 SUMMARY OF DEVELOPMENT STANDARDS

Tables 3-1 and 3-2, following, provide a summary of the quantitative development standards set forth in Sections 3.1 to 3.4.

3.6 ON-STREET PARKING, LOADING, VEHICULAR ACCESS AND BUS STOPS

On-street parking is provided throughout the project limits, as shown in Exhibit 3-11. This is a significant parking resource, as it will provide a majority of the guest parking opportunities for the apartments and townhomes in Blocks A2 and A3/A4. Loading areas for the condominiums in Blocks A1 and C1 and for the apartments in Block A2 must occur within the public streets, since there will be insufficient vertical clearance and maneuvering space within the parking structures for large trucks and other large delivery vehicles. Loading areas for each of these blocks will be determined by the Director of Public Works, in conjunction with approval of the Development Plan for each block. Potential driveway access locations for each block except B1 are shown on Exhibit 3-10. No driveways will be permitted on Block B1, unless a parking study prepared with the Development Plan for that block indicates that on-site parking is needed. All driveway locations and dimensions will be approved as part of the Development Plan for each block. Bus stops shown on Exhibit 3-10 are in their existing locations and, according to Omnitrans staff, these are expected to remain in these locations for the next several years, after relocation of the downtown transit center. Bus shelters and/or benches at these locations shall be provided in accordance with Omnitrans design criteria and approved as part of the overall Streetscape Master Plan, as required by Section 4.4.2 herein.

Table 3.1: Building Intensities, Access, Parking and Recreation Area Standards

Standards	Block A1	Block A2	Blocks A3/A4	Block B1	Block C1
Intensities	Commercial: 0.4 FAR, max. 36,000 sq. ft. gross floor area. Residential: 45-65 du/ac; max. combined FAR of 2.7.	Max. 65 du/ac; max. 160 apartments	25-35 du/ac; max. 140 town homes	Commercial: max. 10,000 sq. ft. ground floor restaurants, and max. 5,000 sq. ft. second floor mixed commercial space	Commercial: 0.4 FAR, max. 36,000 sq. ft. gross floor area. Residential: 45-65 du/ac; max. combined FAR of 2.7.
Maximum Building Heights (Feet/Stories)1	50 ft/4 stories-main roofline [2] 60-ft architectural projections [3]	50 ft/4 stories-main roofline [2] 60 ft-architectural projections [3]	40 ft/3 stories [2] 45 ft for architectural projections [3]	35 ft/2 stories	50 ft/4 stories-main roofline [2] ~~60~~65 ft-architectural projections [3]
Access and Parking Facilities	No more than 2 driveways on Lemon Ave and 2 on B St., as approved by the City Engineer. Commercial, residential and guest parking shall be on-site.	No more than one driveway on Lemon Ave and one on Palm Ave, as approved by the City Engineer. Resident parking on-site, guest parking on street. [4]	No more than 2 driveways on B Street, as approved by the City Engineer. Resident parking on-site, guest parking on street. 4	No driveway access to this block, unless on-site parking required, as determined in parking study submitted with Development Plan.	No more than one driveway on C Street and Lemon Avenue ~~and 2 on D Street~~, as approved by the City Engineer. Commercial, residential and guest parking shall be on site.
Parking Supply & Design	Commercial: 1 space/250 sq. ft. GFA. ~~Max. 30 percent compact spaces.~~ Tandem spaces are prohibited. Residential: 1.2 spaces/bedroom, incl. guest parking. Max. 20 percent tandem spaces. See Exhibit 3-8 for typical parking structure layout and key dimensions.	1.5 spaces/one bedroom units 2 spaces/2-bedroom unit. Guest parking on street ~~Max. 31 percent total may be compact spaces.~~ Max. 28 percent total may be tandem spaces. See Exhibit 3-9 for typical parking layout and key dimensions.	2 garage spaces/ unit. Tandem parking allowed in max. 39 percent all homes. Standard Garage 19'10" x 19'10", with 16-foot wide opening Tandem Garage 11'x 36' clear space, with 9-foot wide opening	None required, unless on-site parking is required as determined in parking study submitted with Development Plan. If required, on-site parking spaces shall be designed in accordance with the Ontario Development Code.	Commercial: 1 space/250 sq. ft. GFA. ~~Max. 30 percent compact spaces.~~ Tandem spaces are prohibited. Residential: 1.2 spaces/bedroom, incl. guest parking. Max. 20 percent tandem spaces. See Exhibits 3-8 for typical parking layout and key dimensions.
Private and Common Recreation Area	Private Outdoor Space: Min. 90 sq. ft./unit, of which up to 20 percent shall have a min. dimension of 3-ft and 80 percent of which shall be at least 7-ft long. Corner Units shall have a min. of 50 sq. ft., with min. 3-ft	Private Outdoor Space: Min. 50 sq. ft. /unit, with a min. dimension of 5 ft. Common Area on Podium Level: Min. 125 sq. ft./unit. Up to 20 percent of this may be provided by indoor recreation	Private Outdoor Space: Min. 90 sq. ft./unit at ground level, with a minimum dimension of 7 feet. Corner Units shall have a min. of 50 sq. ft. Common Area: Min. 230 sq. ft./unit. Up to 20 percent of this may be provided by indoor	None required.	Private Outdoor Space: Min. 90 sq. ft./unit, of which up to 20 percent shall have a min. dimension of 3-ft and a min. of 80 percent of which shall be at least 7-ft long. Corner Units shall have a min. of 50 sq. ft., with min. 3-ft

Standards	Block A1	Block A2	Blocks A3/A4	Block B1	Block C1
	dimension. Common Area on Podium Level: Min. 200 sq. ft./unit. Up to 20 percent of this total common area may be provided by indoor recreation facilities.	facilities.	recreation facilities.		dimension. Common Area ~~on Podium Level~~: Min. 200 sq. ft./unit). Up to 20 percent of this total common area may be provided by indoor recreation facilities.

Notes:

1 Temporary construction and/or maintenance equipment may extend to 122 feet above the existing ground level, in any block.

2 Measured from highest existing sidewalk elevation adjacent to the site.

3 Includes elevator towers, cupolas, clocks, and other architectural projections and focal elements.

4 Parking is prohibited on Holt Boulevard.

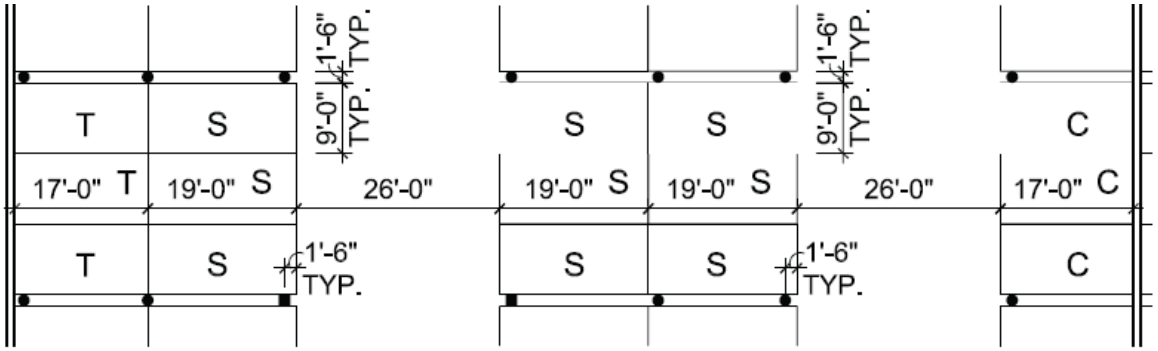
Table 3.2: Building Setbacks and Permitted Projections into Public Rights-of-Way

	Block A1	Block A2	Block A3/A4	Block B1	Block C1
Minimum Setbacks To Main Buildings (From Property Line)					
Holt Boulevard	Build to max. 3' from property line*	13'6"	2'6" for corner units and 5'6" for others	N/A	N/A
Euclid Avenue	Build to max. 3' from property line*	N/A	N/A	Build to max. 2' from property line	Build to max. 3' from property line*
B Street			10'	Build to max. 2' from property line	N/A
Lemon Avenue	5' ***	2'6" at lobby entrance, 11' for main building	N/A	N/A	4' ***
C Street	N/A	5' **	10'	Build to max. 2' from property line	4'6" **
Plum Avenue	N/A	2'6" at lobby entrance, 12'6" for main building	6'0" for corner unit, 13'6" for others	N/A	N/A
Sultana Avenue	N/A	N/A	3'0" for corner unit, 10'6" for others	N/A	N/A
D Street	N/A	N/A	N/A	N/A	Build to max. 3' from property line.*
* Residential balconies may extend up to 4 feet into the street right-of-way. ** Pilasters, columns and similar projections may extend 6 inches beyond the building face, for up to 15 percent of the street frontage. *** Pilasters, columns and similar projections may extend 6 inches beyond the building face, for up to 20 percent of the street frontage.					
Awnings, Canopies, Signs And Other Projections Into Public Right-Of-Way					
Euclid Avenue	7'	N/A	N/A	7'	7'
Holt Boulevard	6'	None	None	N/A	
B Street	2'	None	None	N/A	
C Street	N/A	N/A	None	1'0"	2'
D Street	N/A	N/A	N/A	1'6"	2'
Lemon Avenue	1'	None	N/A	2'6"	1'
Plum Avenue	N/A	None	N/A	2'0"	
Sultana Avenue	N/A	N/A	None	N/A	

	Block A1	Block A2	Block A3/A4	Block B1	Block C1
* Residential balconies at Blocks A1 and C1 (2nd floor and up) may extend up to 4 feet into the airspace of the Euclid Avenue and Holt Blvd. rights-of-way. Along other frontages and on other blocks, balconies may extend up to 4 feet into the street setback.					
Minimum Setbacks To Private, Patios, Balconies, And Alley Screen Walls (From Property Line)					
Euclid Avenue	N/A	N/A	N/A	N/A	N/A
Holt Boulevard	N/A	8'6"	Alley walls: 2'6" at corner units, otherwise 3'0"	N/A	N/A
B Street	N/A	5'6"	Patio walls: 3'0"	N/A	N/A
C Street	N/A	N/A	N/A	N/A	N/A
D Street	N/A	N/A	N/A	N/A	N/A
Lemon Avenue	N/A	3'6"	N/A	N/A	N/A
Plum Avenue	N/A	5'0"	Private patio walls: 6'6" Alley wall: 6'6"	N/A	N/A
Sultana Avenue	N/A	N/A	Private patio walls: 3'0" Alley wall: 3'0"	N/A	N/A
Cornices, Eaves and Similar Architectural Features					
Euclid Avenue	30" into ROW	N/A	N/A	30" into ROW	30" into ROW
Holt Boulevard	30" beyond building face	24" beyond building face	24" beyond building face	N/A	N/A
B Street	30" beyond building face	24" beyond building face	24" beyond building face	30" (ROW)	N/A
C Street	N/A	N/A	N/A	30" (ROW)	30" beyond building face
D Street	N/A	N/A	N/A	N/A	30" beyond building face
Lemon Avenue	30" beyond building face	24" beyond building face	N/A	N/A	30" beyond building face
Plum Avenue	N/A	24" beyond building face	24" beyond building face	N/A	N/A
Sultana Avenue	N/A	N/A	24" beyond building face	N/A	N/A

Block A2		Block A3/A4		Block C1	
Corner	**Setback**	**Corner**	**Setback**	**Corner**	**Setback**
Minimum Setbacks To Main Building (At Corner Right-Of-Way)*					
Holt/Lemon	9'0"	Holt/Plum	2'6"	Euclid/C Street	3'0"

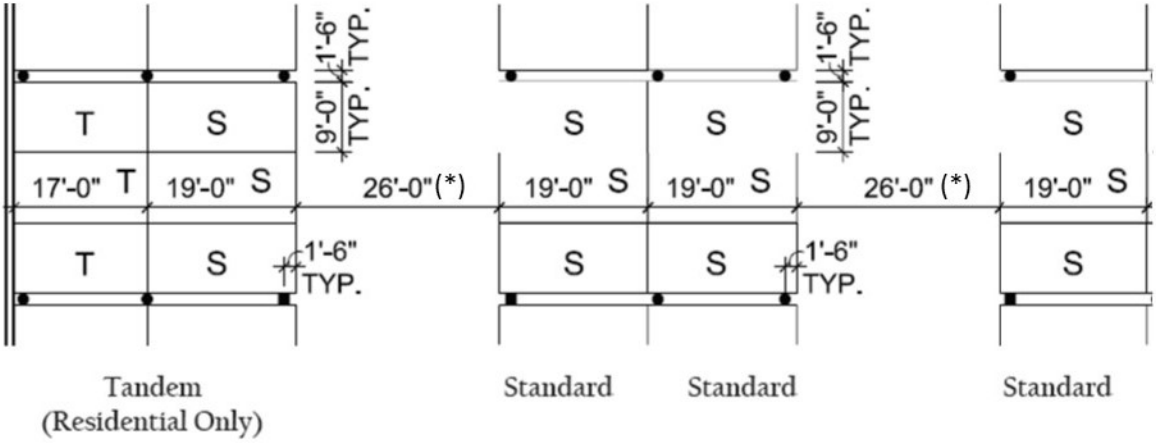
Block A2		Block A3/A4		Block C1	
Corner	**Setback**	**Corner**	**Setback**	**Corner**	**Setback**
Holt/Plum	14'6"	Holt/Sultana	3'6"	Euclid/D Street	1'6"
Lemon/B Street	7'6"	B Street/Plum	8'6"	Lemon/C Street	1'6"
B Street/Plum	10'0"	B Street/Sultana	5'0"	Lemon/D Street	1'0"
Minimum Setbacks To Private Patios And Balconies (At Corner Right-Of-Way)*					
Holt/Lemon	4'0"	Holt/Plum	2'6"	Euclid/C Street	3'0"
Holt/Plum	8'6"	Holt/Sultana	3'0"	Euclid/D Street	1'6"
Lemon/B Street	2'0"	B Street/Plum	4'6"	Lemon/C Street	1'6"
B Street/Plum	7'0"	B Street/Sultana	4'6"	Lemon/D Street	1'0"
* To be defined with Development Plans for Blocks A1 and B1					



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Standard Structured Parking
Dimensions for Blocks A1 and C1
Downtown Civic Center P.U.D.

Exhibit 3-9

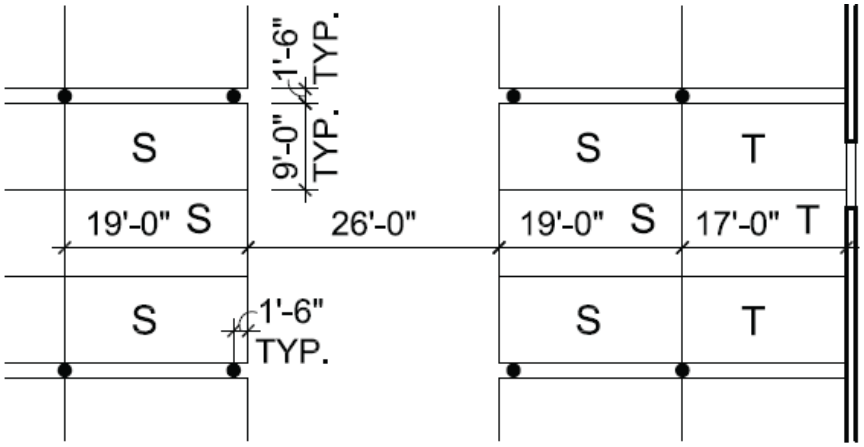


(*) Drive aisle may be reduced to 24'-0" with Development Advisory Board approval

Standard Structured Parking Dimensions for Blocks A1 and C1

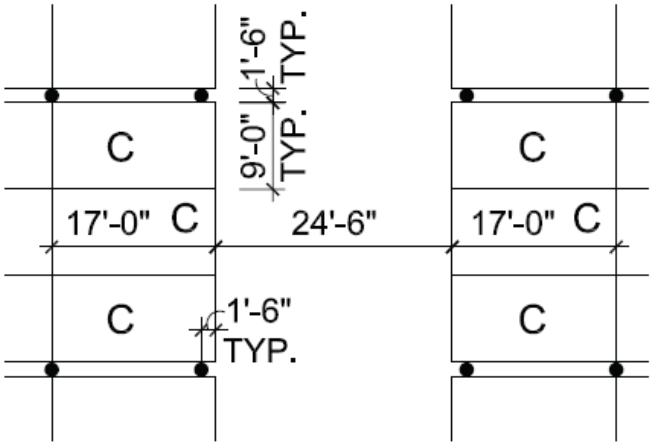
Downtown Civic Center P.U.D.

Exhibit 9



Standard Tandem

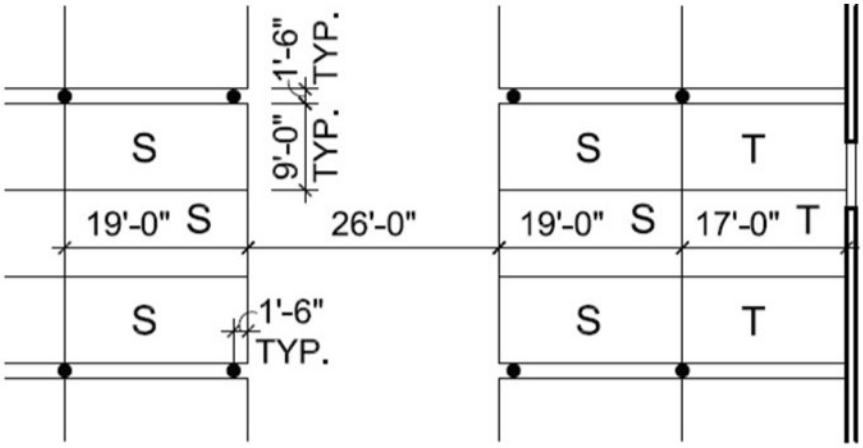
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Compact Compact

Standard Structured Parking Dimensions for Block A2
Downtown Civic Center P.U.D.

Exhibit 3-10



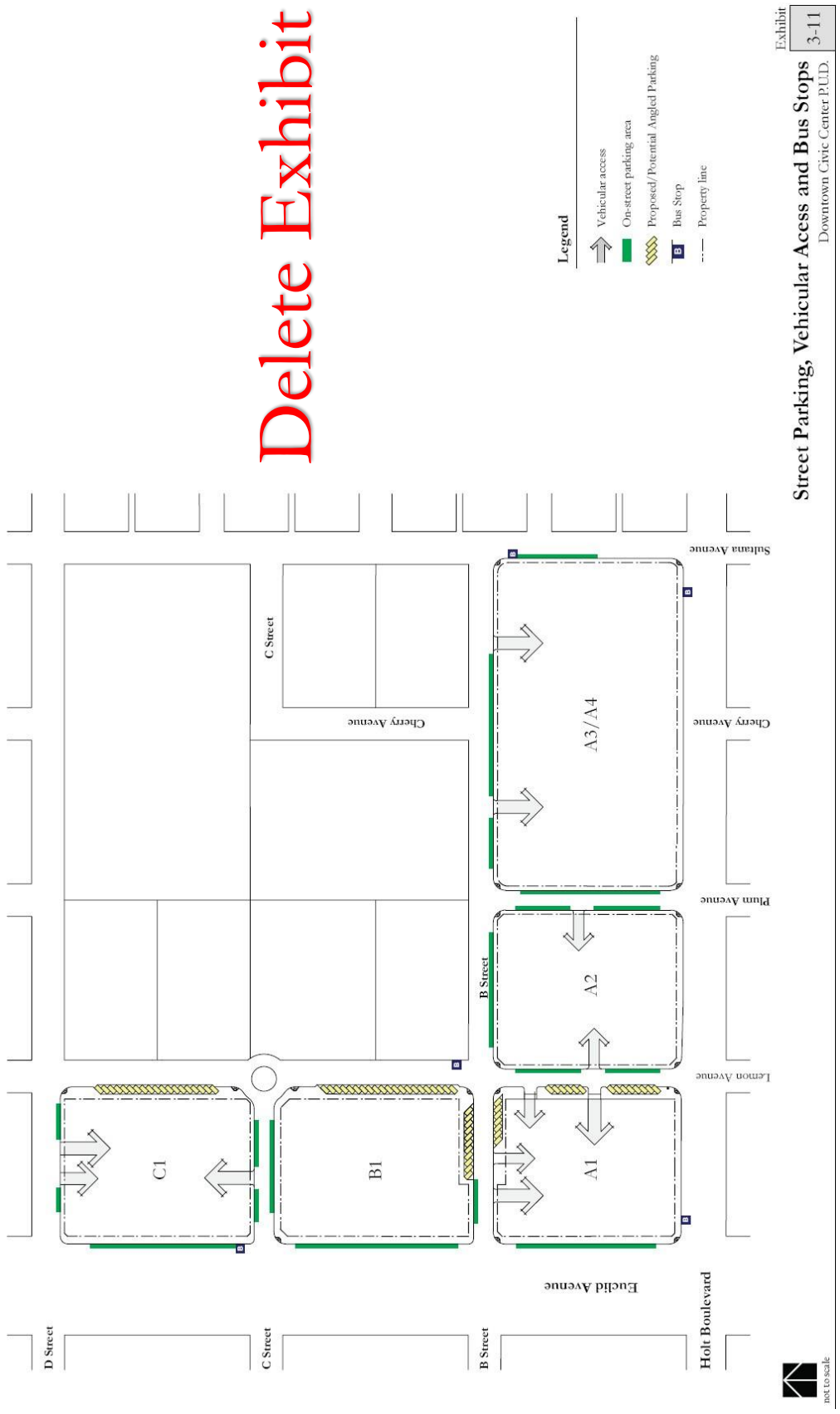
(*) Drive aisle may be reduced to 24’-0” with Development Advisory Board approval

Standard Structured Parking
Dimensions for Block A2
Downtown Civic Center P.U.D.

Exhibit
264

F

Delete Exhibit





Legend

- Vehicular access
- On-street parking area
- Proposed/Potential Angled Parking
- Bus Stop
- Property line

not to scale

Street Parking, Vehicular Acess and Bus Stops

Downtown Civic Center P.U.D.

Exhibit 3-11

3.7 HISTORIC PRESERVATION

3.7.1 HISTORIC PROPERTIES

The following properties (see Exhibit 3-11) have been designated by the City as historically significant, and shall be retained in place and restored, the façade retained only, or demolished.

- 112 N. Euclid Ave.: Preserve façade. Cataloging required.
- 122 N. Euclid Ave.: Preserve façade. Cataloging required.
- 128-136 N. Euclid Ave: Preserve façade. Cataloging required.
- 200 N. Euclid Ave. : Retain/Restore
- 208-214 N. Euclid Ave: Tier II--Façade not intact. To be demolished; mitigation fee and cataloging required.
- 224 N. Euclid Ave.: Tier III—To be demolished; mitigation fee required.
- 226 N. Euclid Ave.: Tier III—To be demolished; mitigation fee and cataloging required.
- 230 N. Euclid Ave.: Tier III—To be demolished; mitigation fee and cataloging required.
- 310 N. Euclid Ave.: Tier II—Façade not intact. To be demolished; mitigation fee and cataloging required.
- 318 N. Euclid Ave.: Tier III—To be demolished; mitigation fee and cataloging required.
- 206 E. "B" St.: Tier III—To be demolished; mitigation fee and cataloging required.
- 310 E. "B" St.: Tier III—Previously demolished. Mitigation fee and cataloging complete.
- 330 E. "B" St.: Tier III—Previously demolished. Mitigation fee and cataloging complete.
- 325 E. Holt Blvd.: Tier III—Previously demolished. Mitigation fee and cataloging complete.
- 127 N. Sultana Ave.: Tier III—Previously demolished. Mitigation fee and cataloging complete.

The Ontario Downtown Civic Center Project EIR (October 2004, State Clearinghouse No. 2004051155) reviewed the impacts to historic structures within the Downtown Civic Center Project area. The EIR included a number of mitigation measures to lessen the cultural resource impacts from demolition and/or façade retention of historic structures within the project area, which included documentation (cataloging), salvage of significant features, and payment of a demolition mitigation fee. Despite these mitigation measures, the EIR concluded that demolition and/or façade retention of Tier I and Tier II historic properties were significant impacts that could not be reduced to a level of less than significant and, therefore, the EIR was certified by the City Council on November 16, 2004 with a Statement of Overriding Considerations for Cultural Resources.

The EIR requires preservation in place of Tier I structures and façade retention of Tier II structures including the Tier II – designated Drew Carriage Building (208-214 N. Euclid Ave.) and the Tier II – designated Old Fire House (316 N. Euclid Ave.). Since further analysis revealed that the original façade of the Old Fire House does not exist and the original façade of the Drew Carriage Building has been significantly altered and no longer retains its character-defining features, there is no original fabric left intact to preserve for these 2 buildings.

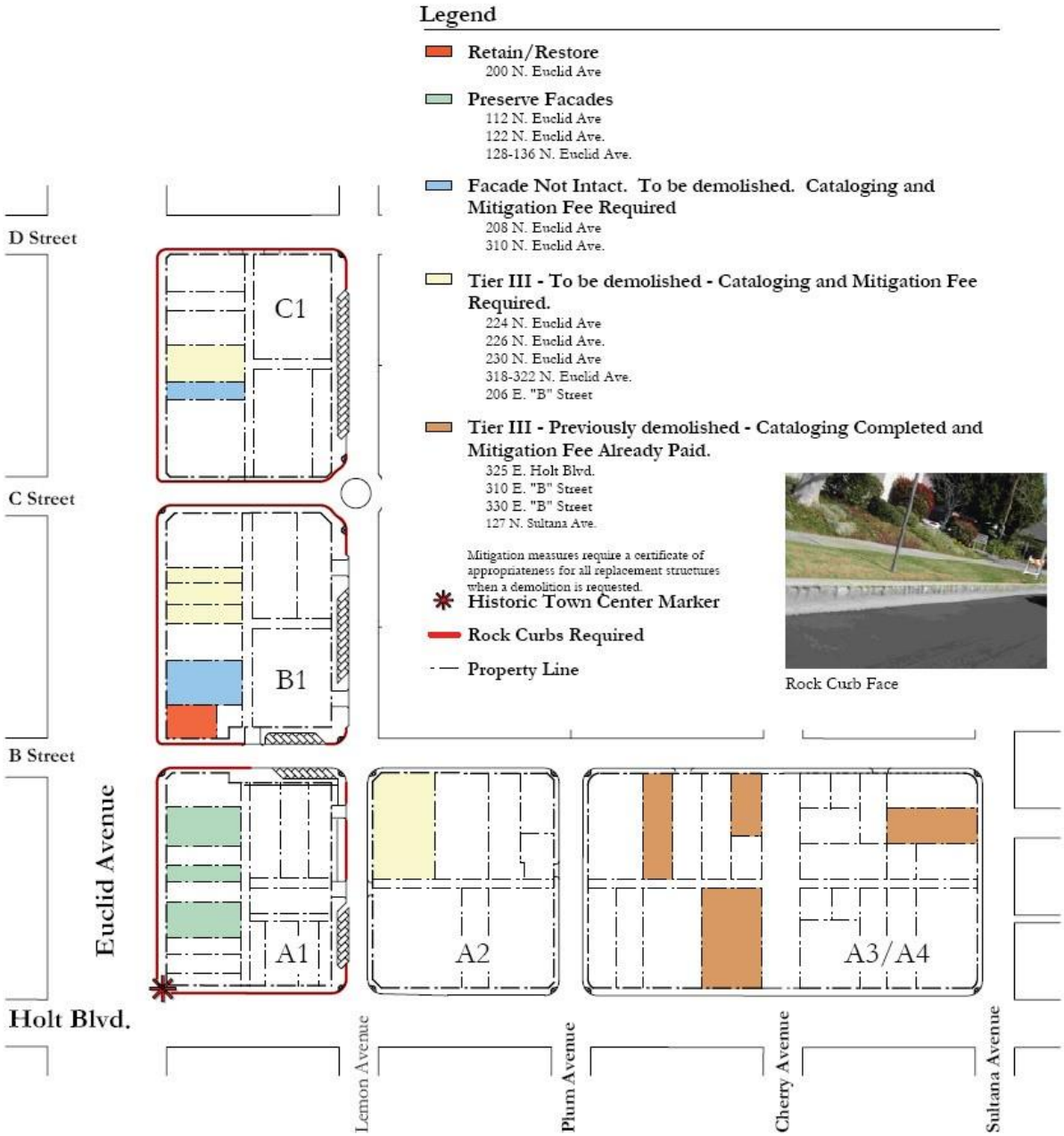
3.7.2 HISTORIC ROCK CURB

The 200-foot wide Euclid Avenue corridor (including the broad center median) is one of the most significant elements of the historic fabric of Ontario, and is listed as a historic district on the National Register of Historic Places~~landmark~~.

Portions of the original rock curb face remain in several areas of Ontario's historic core and are considered essential features that maintain the integrity of the historic character of this corridor (see Exhibit 3-11). Within the subject project limits, no original rock curb face exists ~~shall be preserved~~ along Euclid Avenue, and ~~additional rock curb face of materials that match the original materials shall be constructed to provide a continuous rock curb face along the entire Euclid Avenue frontage, and all street frontages adjoining Blocks A1, B1 and C1~~reconstruction of rock curb within the project area shall not be required .

3.7.3 EUCLID/HOLT HISTORIC MARKER

The intersection of Euclid Avenue and Holt Boulevard is the geographic center of the original Ontario town center and as such is a highly significant location within the historical fabric of the community. To recognize and permanently memorialize this significant site, a historical marker shall be erected within the corner sidewalk area, with the approval of Caltrans. Marker design and precise location shall be approved by the Historical Preservation/Planning Commission as part of the precise Development Plan application.



Delete Exhibit

not to scale

Historic Features - Plan View
Downtown Civic Center P.U.D.

Exhibit 3-12



not to scale

Historic Features - Plan View

Downtown Civic Center P.U.D.

Exhibit 270



Bank of Italy historic photo



Bank of Italy current photo showing south side of building



Commercial Hotel - Historic photo from the 1960's showing front of building



Commercial Hotel - Current photo showing front of building



Citizen's National Bank - Current photo showing front of building (No clear historic photo available)



Lerch Building - Historic Photo



Lerch Building - Current photo showing front of building

not to scale

Photos of Historic Properties
Downtown Civic Center P.U.D.

Exhibit 3-13

3.8 ENVIRONMENTAL PERFORMANCE STANDARDS

All land uses shall adhere to the environmental performance standards set forth in the Ontario Development Code, to avoid and minimize impacts involving noise, vibration, dust and paint, smoke, light, glare and heat, odors and gasses, hazardous and radioactive materials, and electromagnetic interference.

Architectural plans for all residential uses shall be submitted to the City of Ontario Building Department for an acoustical plan check, prior to the issuance of building permits, to assure that construction methods use standard materials that will attenuate 20 dBA of sound from outside to inside, or such that indoor noise does not exceed 45 dBA.

Pursuant to AB 2776 and Mitigation Measure Haz 9 in the Downtown Civic Center Project Final EIR, project developers shall disclose to all home buyers and renters that their homes are in proximity to Ontario International Airport.

Pursuant to Mitigation Measure Util 4 in the Downtown Civic Center Project Final EIR, each project Development Plan should consider and incorporate appropriate sustainable water and energy systems.

The full set of programmatic mitigation measures from the Downtown Civic Center Final EIR that are applicable to this PUD is provided in Appendix B.

4.0 DESIGN GUIDELINES

Purpose and Principles

Located entirely within the central core of the Downtown area, this PUD is considered an integral element of the urban revitalization of the historic retail and civic center areas. A considerable amount of effort has occurred to prepare a comprehensive set of design guidelines for the downtown area, to maintain the historic fabric and achieve excellence and coherence in the quality and character of the ongoing redevelopment of the center city area. Design principles and examples of desired styling elements to guide the redevelopment/revitalization program are set forth in the Downtown Ontario Design Guidelines ("Guidelines"), adopted by the Ontario City Council on August 18, 1998. This section is intended to provide guidance to City staff and private developers in the design of buildings, yards, and streets in a manner that fosters a flexible implementation of the principles and specific techniques described in those Guidelines. As such, some variations from the Guidelines are permitted, provided that the integrity of the urban design and historic preservation principles is not compromised.

A comprehensive assessment of historic properties throughout the downtown area has been completed and for the most part, this PUD does not contain significant buildings, structures or sites to be preserved. While there are a few properties along Euclid Avenue where preservation efforts will be necessary, a majority of this project will involve new construction and redevelopment of existing developed block areas. Ideally, such new infill development will complement and exemplify historic elements, while providing a fresh palette of architectural features that creates a more dynamic visual environment and a more pleasant pedestrian experience.

Because of the increased building intensity of this urban infill project, the relationship of buildings to the streets will be significant and must be treated creatively. It will be essential to provide a sense of movement and rhythm through a variety of articulation methods, materials and colors, to avoid bulky and monotonous elevations. This principle is to be applied to each of the blocks. Street trees and landscaped street-facing yards will provide opportunities to frame the street, create a pleasant pedestrian pathway and to reduce the impact of building bulk from the public rights-of-ways. A Civic Plaza park and a thematic program for street signs, furniture, markers, monumentation, banners, etc. will establish unifying elements that will immediately set the tone for the public spaces of the new downtown.

4.1 EUCLID AVENUE MIXED USE (BLOCKS A1 AND C1)

Design principles and desired architectural features for the mixed-use blocks are derived from the Turn of the Century architectural style and elements set forth in Section 3.5.3 of the Downtown Design Guidelines, with respect to: setbacks, storefront modulation, entrances, roof design, mechanical equipment, building elements (cornices, storefront frame, mid-floor panel, transom windows, bulkheads), awnings, materials and colors. Those guidelines, together with the following, shall be incorporated into the Development Plans for each block, subject to final interpretation by the Planning Commission and City Council.

Building Orientation

- Buildings must provide continuous commercial use and store fronts along Euclid Ave.

- Orient buildings to define the street and sidewalk, with service and parking generally positioned away from public streets, and toward the side and/or rear of buildings; a "building forward" design concept with buildings located near the sidewalk edge is required. Setbacks from the sidewalks are generally discouraged, except for such features as a "welcoming" recessed entry, a useable outdoor gathering space, etc.

- Buildings should be sited so that architectural focal treatments can be provided at strategic locations.

- Buildings located at prominent street corners shall be designed to incorporate architectural features that respond to these special locations, such as corner entries and corner tower elements.

- Incorporate multiple shop entrances and display windows with clear glazing along street facades, as well as facades oriented toward outdoor gathering spaces (i.e. plazas); windows and doors should introduce visual interest along the sidewalk, and create a pedestrian friendly street environment.

Access & Parking Facilities

- Control vehicular access and on-site parking to reduce their visual impact along streets, and protect adjacent land uses; in particular, on-site parking facilities shall be located to the side and/or rear of the building, and driveways shall be located to the side and/or rear of the buildings and minimize curb cuts.

- Parking structures shall not front directly onto Euclid Avenue.

- Parking structures fronting Lemon Street should have attractive facades that are compatible with the surrounding buildings. The design should employ similar colors, materials and details as are used on adjacent facades.

Service Facilities

- Locate service, loading and storage facilities away from public streets, outdoor spaces, and adjacent residential uses; as far as feasible, these facilities should be unobtrusive.

- Prohibit placement of utility transformer boxes within parking structure.

- Electrical equipment shall be mounted on the interior of a building wherever practical. When interior mounting is not practical, electrical equipment shall be enclosed and screened from public streets with walls, fencing and/or landscaping that allows for sufficient ventilation, or buried in vaults.

- No antenna pole or dish shall be placed on any structure so that it is visible from ground level.

- Service areas shall be screened, gated and as unobtrusive as possible.

- No garage type loading doors shall be located on a building façade directly facing an accessible street. All types of loading doors within view of public streets shall be screened with walls, berms or plant material.

Pedestrian Linkages (Sidewalks & Walkways)

- Locate pathways for clear and comfortable on-site pedestrian circulation; sidewalks and pedestrian paths should provide convenient and comfortable connections between storefronts, outdoor spaces, parking, as well as portals to adjacent residential uses. It is especially important to provide multiple, clearly marked and direct pedestrian pathways that connect rear parking areas with sidewalks and street oriented shop fronts.

- Use Landscape elements to reinforce pedestrian connections; for instance, attractive paving and planting design may identify and highlight these connections by establishing a visual separation between vehicular and pedestrian routes.

- Place site accessories and features so that they do not interrupt connecting walkways and paths, in general, sidewalks and paths should provide for a minimum 6-foot clear pedestrian passage (or min. 4' adjacent to approved outdoor dining areas and street trees).

- Provide adjacent sidewalks with street trees, pedestrian-scaled light fixtures and street furniture.

- Entries to upper floor residential uses shall be from the side or rear of the block, and if on a side street, the visible entry shall be no wider than 15 feet at the street level, to avoid disturbing the rhythm of the retail spaces.

Architectural Character

- Create an architectural character that reflects the various styles within the historic downtown by using similar proportions, building details and building material.

- New buildings should appear to fit in contextually with existing historic buildings by using similar proportions, articulation, building details and building material.

- The overall character should feel like a modern interpretation of a traditional American small town.

- Create compatibility between the mixed-use architecture and the residential architecture within the downtown area; the introduction of unifying elements such as similar materials and colors should be considered; however, "sameness" is discouraged.

- A schematic illustration of an acceptable set of elevations is shown in Exhibit 4-1.

Massing & Scale

- Employ simple, yet varied massing, with wall openings that create shadow line and provide visual relief. Monolithic buildings and extensive blank wall surfaces are not allowed.

- Emphasize massing and height of corner elements

- Building increments should be a maximum of 50 feet in width. Buildings that exceed fifty
- (50) feet of frontage should use various architectural devices to replicate the building increments and pattern of the existing downtown such as:
- Horizontal breaks and offsets every 25 to 50 feet
- The upper portion of the buildings should reflect the same increment of articulation as the ground level (storefront level)
- The cornices and moldings at the top of facades should also reflect the vertical massing (increments) of the building
- Use strong and identifiable building forms to demarcate street intersections for instance, a taller building mass, tower element/clock tower, or cupola may be considered.
- Where adjacent buildings will be of varying heights, they should be sensitively designed to promote a compatible transition in massing and avoid abrupt changes in scale along the streetscape.

Articulation & Fenestration:

- Design buildings with 3-dimensional quality; building facades should be based upon a pleasing set of proportions and a clear pattern of building openings.
- Differentiate between the base, middle and top levels of a building; for instance, street- oriented shops may feature a 1) a bulkhead; 2) display windows; and 3) transom and detailed cornice.
- Avoid monotonous or blank facades on a building; buildings shall be articulated on all sides. Use fenestration (windows and doors), as well as changes in wall plane, material, texture, color, etc. to create shadow lines and articulate building walls.
- Provide highly visible public entrances, preferably oriented to streets and outdoor spaces; shop entrances may be clearly expressed with recesses, overhangs, special materials, and/or detailing.
- Require a high degree of street level transparency, especially along sidewalks, important outdoor spaces and heavily trafficked areas; the use of reflective, opaque, and darkly tinted glass should be restricted.



Exhibit 4-1

Mixed Use Architectural Character

Downtown Civic Center P.U.D.

Architectural Details

- Use architectural details to enhance a building's appearance. Careful detailing is especially appropriate at the base of buildings, along cornices, eaves, parapets or ridge tops, and around entries and windows.

- Incorporate human-scaled details such as canopies and awnings, transparent windows and windows displays. These are required at public entrances and along heavily trafficked outdoor areas.

- Design architectural features and details as an integral part of the building; architectural features, including canopies and awnings, should not appear "tacked-on."

Storefront Guidelines

- Storefronts should provide an individual look for each store or establishment while still blending in with the overall design.

- Storefronts shall incorporate high quality building materials. A durable base material (18 inches high min.) such as brick, tile, exterior cement plaster, or pre-cast architectural concrete shall be used. Storefront glazing and exterior plaster shall not terminate at the ground plane.

- Storefront glazing shall be clear glass to permit clear views into the interior space. The amount of such glass shall provide a balance between high visibility into the store interior and architectural character/quality.

- Entrance doors shall be of a traditional style and transparent as possible; however, an all glass door is prohibited.

- No part of any open doors shall extend into the public right-of-way.

- Storefront openings should not exceed 30 feet in width without the interruption of a vertical building element (column or wall).

- Storefront openings may extend up to 16 feet in height; the height should range from 8 to 16 feet.

Material & Colors

- Use materials that exhibit permanence and quality, and that unify a building's appearance on all sides; materials and colors should accentuate the architectural details of the building and promote visual harmony. Brick, tile, pre-cast architectural concrete, stone veneers or stucco are preferred.

- To create visual interest, use at least 3 different building materials for each block. Materials may be used to highlight a building entrance or distinguish the building base.

- Any awnings shall be comprised of durable, heat, dust and mildew-resistant canvas materials that are designed to withstand the rigors of the Ontario climate. Vinyl or other shiny materials are prohibited.

Roofs/Rooftop Equipment

- Express roofs in a visually interesting manner that complements the composition of the building and surrounding area, (i.e. use sculpted roof forms or a strong and attractively detailed cornice).

- Locate and/or screen rooftop equipment, including ladders and antenna devices, so that it is not visible from streets and adjacent buildings; methods of rooftop screening should be integral to the building's form.

- All mechanical units shall be screened from public view and from adjacent existing buildings (preferably with roof forms).

- When roof decks and mechanical units are visible from adjacent developments, they should be as unobtrusive as possible and painted to match finish roof material.

Outdoor Dining Areas

- Outdoor dining areas adjacent to a street level eating or drinking establishment are encouraged along Euclid Avenue and are permitted along any street frontage. Any such areas shall be designed in accordance with the provisions set forth in Section 2A.7 of the Downtown Ontario Design Guidelines, plus any additional features that may be required as part of a Conditional Use Permit for on-sale alcoholic beverages. Outdoor dining along Euclid will require an agreement with the California Department of Transportation, since this is street is within a State right-of-way.

Outdoor Space

- Private balcony enclosures shall be comprised of materials that are complementary to materials and colors used for the main elevations. Each balcony shall be enclosed sufficiently to provide privacy between balconies of adjacent units. Any communications antennas placed within a balcony shall be screened.

- Common outdoor spaces, especially on the podium level, shall provide opportunities for social interaction and passive recreation, with shading elements to counteract the summer sun. An indoor recreation/fitness/community facility shall be provided within this central common area, with architectural style and materials that match or complement the primary building architecture. Landscaping shall be provided to define and enrich courtyards and walkways, and shall include specimen trees with drainage outlets that do not affect usable recreation space. Outdoor seating, tables and umbrellas, gazebos, barbeques, natural ~~or artificial~~ lawn area, and/or other place-making features are to be provided, and shall be compatible with the architectural style of the project. Hardscaping shall be composed of decorative paving materials and patterns, rather than a single, continuous surface. Outdoor common areas should be designed to be visible for surveillance by residents and police patrol units, if possible. A detailed plan for the common area open space shall be submitted as part of the Development Plan application for each of the mixed-use blocks.

Signs

- All commercial signs shall be designed in accordance with the criteria set forth in Section 2C of the Downtown Ontario Design Guidelines.

Lighting

- All lighting of facades, decorative fixtures, store window interiors, awnings, and signs shall be designed in accordance with the criteria set forth in Section 2D of the Downtown Ontario Design Guidelines.

4.2 CIVIC PLAZA (BLOCK B1)

Any new construction shall be designed to be compatible with the historical elements of the Bank of Italy Building to be retained at the southwest corner of this block, and shall be consistent with the design guidelines for the Mixed Use blocks, set forth in Section 4.1.

4.3 HOLT BOULEVARD RESIDENTIAL

4.3.1 APARTMENTS (BLOCK A2)

Building Orientation

- The buildings should be oriented to reinforce the urban grid of the street pattern in downtown Ontario. As many units as possible should be oriented to the street to help create an active streetscape. Dwelling units not facing the street should be oriented around a central courtyard. The podium level common area shall contain shared recreational elements (such as pools, spas, barbeques, picnic areas etc) for all of the residents to use.

Architectural Character

- Design buildings that complement the architectural character of the surrounding commercial and residential areas and support a pedestrian environment.
- Buildings should be designed to be viewed from all sides, including, public areas, common open space areas, sidewalks, alleys and streets. It is required that all 4 buildings elevations should share common materials and degrees of articulation.
- A schematic illustration of an acceptable set of elevations is provided as Exhibit 4-2.

Massing and Scale

- A maximum of 3 visible stories of living space and one visible story of parking structure below living space will define this building's block.
- Building heights and mass shall be sufficient to ensure compatibility among the various housing products and the surrounding commercial uses.

- Roof lines should be varied through the use of stepped roofs, towers or other roof elements
- A variety of stacked massing arrangements should be used to create visual interest.
- Long blank walls should be broken up with architectural elements that add visual interest and enhance the character of the neighborhood. Architectural features such as setbacks, indentations, overhangs, projections, cornices, balconies can be used to create interesting building facades.
- The mass of the building should step down at the corners and entries to provide a greater definition of the building.
- Improve the articulation of the plan forms by offsetting upper floor and wall planes.
- There shall be no more than 2 adjacent balconies on any single plane.

Articulation and Fenestration:

- A minimum of 15 percent of the entire horizontal length of any building elevation should be articulated by varying the form or footprint and/or by introducing architectural elements and/or projections.
- Major building entries shall be clearly marked with architectural elements such as porches, arcades, ornamental lighting, landscaping and other elements.
- Building offsets/setbacks should be a minimum of 12 inches in depth and 12 inches in width.
- Balconies may be covered or open but should be an integral element of the building using details such as eaves, supports and railings.

Architectural Details

- Introduce architectural treatments at the base of the building to distinguish it from the top; this can be accomplished through the use of textured materials, variations in color and enriched landscaping.
- Architectural details should be consistent with the architectural style, materials and colors of the building.
- Within the appropriate style requirements, group and coordinate windows with other design elements to create a composition and sense of order.
- Multi-Paned windows are encouraged if appropriate to the style.



Exhibit 4-2

Apartment Architectural Character
Downtown Civic Center P.U.D.

not to scale

Material and Colors

- Employ high quality materials that are durable, lasting and aesthetically appealing.

- The use of complementary colors and changes in materials can add visual interest to a building; however, to avoid a false appearance, texture or color changes should not occur at external corners.

Screening of Parking Structure

- Where parking structure elements are visible from the street they shall be screened with landscape and/or architectural solutions, without conflicting with ventilation requirements set forth in the City's Mechanical Code. The method of screening shall be compatible with the overall architecture and landscaping themes. Any berms employed for screening shall not exceed a 2:1 slope and shall be appropriately landscaped with materials selected from the master plant palette (see Table 4-1). Exhibit 4-3 illustrates a preferred approach to screening of the parking structure.

- Visible parking structure elevation shall be finished in the same style as the primary buildings, with compatible materials. This will help integrate the structure into the overall project design while reducing its visual impact.

Roof Top and Ground Level Mechanical Equipment

- All mechanical equipment, whether mounted on the roof or ground, shall be screened from view. Rooftop equipment shall be screened from public rights-of-way and adjacent, existing buildings. Utility meters and equipment should be placed in locations that are not exposed to view from open areas or they should be suitable screened. All screening devices are to be compatible with the architecture and colors of the nearest main building.

Outdoor Space

- Private balcony enclosures shall be comprised of materials that are complementary to materials and colors used for the main elevations. Each balcony shall be enclosed sufficiently to provide privacy between balconies of adjacent units. Any communications antennae placed within balconies shall be screened.

- Common outdoor spaces ~~on the podium level~~ shall provide opportunities for social interaction and passive recreation, with shading elements to counteract the summer sun. An indoor recreation/fitness/community facility shall be provided within this central common area, with architectural style and materials that match or complement the primary building architecture. A variety of landscaping elements shall be provided to define and enrich courtyards and walkways. Specimen trees shall be provided, each with drainage outlets that do not affect usable recreation space. Outdoor seating, tables and umbrellas, gazebos, barbeques, natural or ~~artificial~~ lawn area, and/or other place-making features are to be provided, and shall be compatible with the architectural style of the project. Hardscaping shall be composed of decorative paving materials and patterns, rather than a single,

continuous surface. Outdoor common areas should be designed to be visible for surveillance by residents and police patrol units, if possible. A detailed plan for the common area open space shall be submitted as part of the Development Plan application for this block.

Landscaping

- Yards abutting the street frontages shall be landscaped with a uniform mixture of materials selected from Table 4-1 that provides a variety of vertical elements. Selection and placement of trees and shrubs shall ensure that adequate visibility into the parking structure is available for passing police patrol units.

- Any manufactured slopes shall not exceed a 2:1 slope and shall be landscaped with materials selected from the master plant palette set forth in Table 4.1 herein.

4.3.2 TOWNHOMES (BLOCKS A3/A4)

Building Orientation

- Where possible, townhome units should orient to the surrounding streets or interior open space elements.

- Every unit should have a porch/patio with an entry that overlooks and is directly accessible from the street or interior open space.

- The configuration of buildings, streets, parking, open space and landscaping must balance the needs of the pedestrian and automobile. Parking should not dominate the experience along any required path.

Architectural Character

- Design buildings that complement the architectural character of surrounding commercial and residential areas and support a pedestrian friendly environment.

- Buildings should be designed to be viewed from all sides, including, public areas, common open space areas, sidewalks, alleys and streets.

- Schematic illustrations of acceptable elevations are presented in Exhibit 4-4.

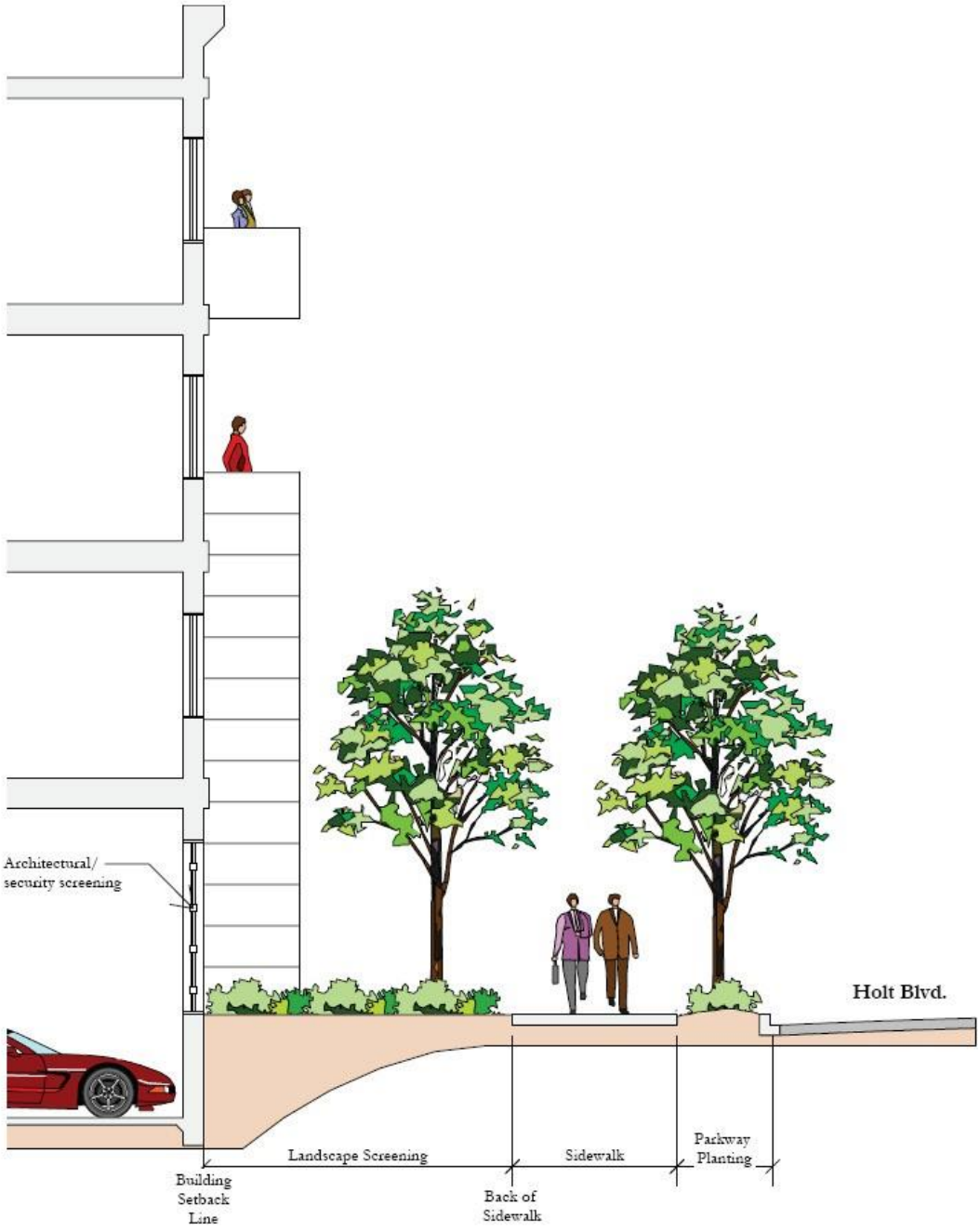
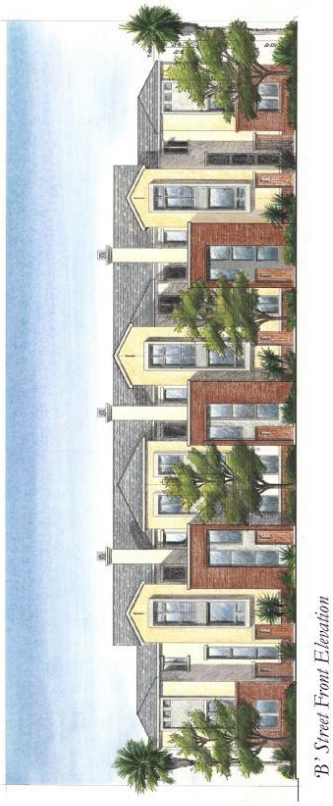


Exhibit 4-3

Parking Garage Screening at Block A2
Downtown Civic Center P.U.D.

not to scale



'B' Street Front Elevation



Holt Boulevard Side Elevation



Interior Alley Elevation

Exhibit 4-4

Townhome Architectural Character

Downtown Civic Center P.U.D.

not to scale

Massing and Scale

- Rooflines should be varied through the use of hips, stepped roofs, gables, or other roof elements.
- Long blank walls should be broken up with architectural elements that add visual interest and enhance the character of the neighborhood. Architectural features such as setbacks, indentations, overhangs, projections, cornices, and bay windows should be used to create interesting building facades.
- Each individual dwelling unit should be expressed as an identifiable unit through its use of roof forms, change in building mass, defined entryways and other architectural treatments.
- Buildings along Sultana Avenue should be designed with sensitivity to massing and scale of nearby residential properties.

Articulation and Fenestration

- Building elevations should be articulated every 15 linear feet by varying the form or footprint and/or by introducing architectural elements and/or projections.
- A minimum of 15 percent of the entire horizontal length of any building elevation should be articulated by varying the form or footprint and/or by introducing architectural elements and/or projections.
- Entries shall be clearly marked with architectural elements such as porches, ornamental lighting, landscaping and other elements.
- Entrances from public sidewalks shall be prominent, visible from the street and connected by a walkway to the sidewalk.
- Building offsets or projections should be a minimum of 12 inches in depth and 12 inches in width.
- Windows should be inset from the face of the exterior wall to provide a visual relief and strong shadow line.

Architectural Details

- Introduce architectural treatments at the base of the building to distinguish it from the top; this can be accomplished through the use of textured materials, variations in color and enriched landscaping.
- Architectural details should be consistent with the architectural style, materials and colors of the building.

Material and Colors

- Exterior colors and materials shall be subdued and reflect the character and setting of downtown Ontario.

- Employ high quality materials that are durable, lasting and aesthetically appealing. Stucco and brick are preferred materials.

Alley Character & Entry Points

- Alleys should be designed with the same attention and level of detail as the streets. Landscaping and enhanced paving (pavers, colored concrete), etc. shall be used to facilitate alleyway and drive entrances that are both functional and attractive.
- A variety of massing, roof forms, and architectural massing shall be provided on the alley edge.
- The primary vehicular entries into the residential neighborhoods should provide ample planter space to create colorful and distinctive edges, including flowering perennials and annuals, and rows of trees.
- Each point of entry should be designed to allow for project monumentation and should create a sense of "welcoming" into the community.
- Homes abutting drive entries shall be separated a minimum of 40 feet at the ground level, and separated a minimum of 35 feet at second and third story levels.
- Examples of desired alley characteristics are shown in Exhibit 4-5.

Roof Top and Ground Level Mechanical Equipment:

- All mechanical equipment, whether mounted on the roof or ground, shall be screened from view. Rooftop equipment shall be screened from view from public rights-of-way and from adjacent, existing buildings. Utility meters and equipment should be placed in locations that are not exposed to view from open areas or they should be suitably screened. All screening devices are to be compatible with the architecture and colors of the building.
- Architectural screening elements should be constructed of the same materials and finishes as the primary building.
- If centralized mailbox locations are necessary to serve the residential community they shall be designed to be architecturally compatible with other buildings.

Outdoor Recreation Space

- Private, open ground level patios shall be finished with a combination of landscape and hardscape surfaces. The specific palette of materials shall be identified in a landscape plan to be submitted for approval by the City's Landscape Planner, prior to issuance of building permits.
- Awnings, trellis structures, patio covers, and similar improvements shall not be attached to the main building, and shall not cover the entire patio area.
- A central common open space area shall provide opportunities for social interaction and passive recreation, with shading elements to counteract the summer sun. An indoor recreation/fitness/community facility shall be provided within this central common area, with architectural style and materials that match or complement the homes. A variety of landscape and

hardscape elements shall be provided to define and enrich courtyards and walkways. Specimen trees shall be provided. Outdoor seating, tables and umbrellas, gazebos, barbeques, natural lawn area, and/or other place-making features are to be provided, and shall be compatible with the architectural style of the project. Hardscaping shall be composed of decorative paving materials and patterns, rather than a single, continuous surface. Outdoor common areas should be designed to be visible for surveillance by residents and police patrol units, if possible. A detailed plan for the common area open space shall be submitted as part of the Development Plan application for the 2 blocks comprising the townhomes project.

Landscaping, Walls and Fences

- Yards abutting the street frontage shall be landscaped with a uniform mixture of plant materials that provide a variety of textures and massing. Each main drive entrance shall be bordered by landscape elements that include ground-level flowering materials, shrubs and a row of specimen trees, with a sidewalk on one side of the driveway.

- Where there are substantial expanses of exposed main building walls along a street frontage, treatments of the perimeter yards in those areas should include appropriate landscaping, fencing and/or other methods of deterring potential vandalism and graffiti.

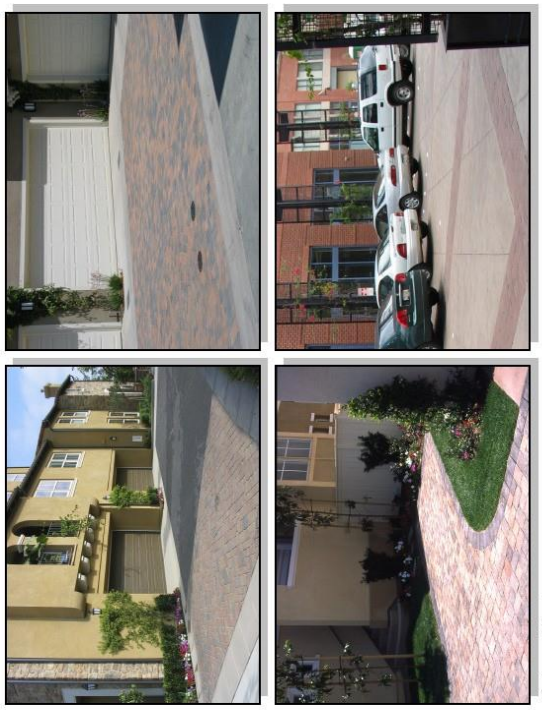
- Private ground level patios shall be fully enclosed with a wall material that is complementary to the style and materials of the homes. Walls facing streets shall not exceed 42 inches high. Walls along interior common areas may be up to 6 feet high. Six-foot high walls composed of a masonry material that is complementary to the style and materials of the homes shall be placed at the end of alleys, to block views from the street into the alley.

Internal Pedestrian Circulation

- Landscaped walkways shall provide internal pedestrian circulation between Plum and Sultana Avenues and between Holt Boulevard and B Street. Such walkways may be part of common areas that separate opposing rows of homes or may be within a linear pathway between groupings of homes. These walkways are intended to provide convenient access to public sidewalks for project residents and are not intended to operate as public pass-thrus. Connections to public sidewalks along Holt may be gated and locked to limit access to residents only.

Exhibit 4-5

Townhome Alley Character
Downtown Civic Center PUD.



Enhanced Paving



Landscape Pockets



Building Undulation

4.4 LANDSCAPE ELEMENTS

Landscaping elements will provide significant contributions to the aesthetic quality and character of the Town Center, with respect to public and private spaces. Table 4-1 describes the master plant palette that will guide the selection of materials for street trees, perimeter trees and shrubs, podium courtyard and common area trees, vines, screening and hedge plants, drive alley shrubs, security/barrier plantings, and ground covers for a variety of applications. Detailed landscape/irrigation plans shall be included in the Development Plan submittals for each block.

Table 4.1: Downtown Civic Center Master Plant Material List

Botanical Name	Common Name	Size	Comments
Street Trees			
C Street			
Hymenosporum f~~F~~lavum	Sweetshade Tree	36" Box	Standard
Podocarpus h~~H~~enkelii	Yew Pine	36" Box	Standard
Washingtonia filifera~~Robusta~~	~~Mexican~~ Califonria Fan Palm	12' BTH	Standard
B Street			
Trachycarpus f~~F~~ortunei	Windmill Palm	8' BTH	Standard
Lagerstroemia i~~I~~ndica	Crape Myrtle	36" Box	Standard
Pittosporum r~~R~~hombifolium	Queensland Pittosporum	36" Box	Standard
Euclid Avenue			
~~Magnolia Grandiflora Samuel Somer~~	~~Magnolia~~	~~24" Box~~	~~Standard~~
~~Brachychiton Populneus~~	~~Bottle Tree~~	~~24" Box~~	~~Standard~~
~~Pinus Elderica~~	~~Afghan Pine~~	~~24" Box~~	~~Standard~~
Ginko biloba	Maidenhair Tree	24" Box	Standard
Quercus muehlenbergii	Chinquapin Oak	24" Box	Standard
Schinus molle	California Pepper	24" Box	Standard
Lemon Street			
Hymenosporum Flavum	Sweetshade Tree	36" Box	
~~Pyrus Calleryana~~ Geijera parviflora	Australian Willow~~Aristocrat Pear~~	36" Box	
Washingtonia ~~Robusta~~ filifera	California ~~Mexican~~ Fan Palm	24" Box	
Plum Avenue			
Lagerstroemia Indica	Crape Myrtle	36" Box	
Hymenosporum Flavum	Sweetshade Tree	36" Box	
Washingtonia filifera~~Robusta~~	California~~Mexican~~ Fan	24" Box	

Botanical Name	Common Name	Size	Comments
	Palm		
Sultana Avenue			
~~Lagerstroemia Indica~~	~~Crape Myrtle~~	~~36" Box~~	
~~Chitalpa Tashkentensis~~	~~Chitalpa~~	~~36" Box~~	
~~Pyrus Betulifolia~~	~~Bradford Pear~~	~~36" Box~~	
Cercis reniformis 'Alba'	Texas White Redbud	36" Box	
Chitalpa tashkentensis	Chitalpa	36" Box	
Lagerstroemia indica	Crape Myrtle	36" Box	
Streetscape Trees – Trees Around Project Perimeter			
Archontophoenix c~~C~~unninghamiana	King Palm	12' BTH	
~~Arecastrum Romanzoffinum~~	~~Queen Palm~~	~~12' BTH~~	
Cercis canadensis 'Forest Pansy'	Eastern Redbud	24" Box	Standard
Cercis reniformis 'Alba'	Texas White Redbud	24" Box	Standard
Hymenosporum flavum	Sweetshade Tree	36" Box	Standard
Lagerstroemia indica	Crape Myrtle	36" Box	Multi
Trachycarpus f~~F~~ortunei	Windmill Palm	8' BTH	
~~Hymenosporum Flavum~~	~~Sweetshade Tree~~	~~36" Box~~	~~Standard~~
~~Magnolia X Soulangeana~~	~~Saucer Magnolia~~	~~36" Box~~	~~Multi~~
~~Podocarpus Henkelii~~	~~Yew Pine~~	~~24" Box~~	~~Standard~~
~~Prunus C. 'Krauter Vesuvius'~~	~~Purple Leaf Plum~~	~~24" Box~~	~~Standard~~
~~Pyrus Kawakamii~~	~~Evergreen Pear~~	~~24" Box~~	~~Standard~~
~~Trachycarpus Fortunei~~	~~Windmill Palm~~	~~8' BTH~~	
Tristania c~~C~~onferta	Brisbane Box	24" Box	Standard
Podium Courtyard Trees (A1, A2, C1)			
Archontophoenix c~~C~~unninghamiana	King Palm	12' BTH	
~~Arecastrum Romanzoffinum~~	~~Queen Palm~~	~~12' BTH~~	
~~Eriobotrya 'Coppertone'~~	~~Coppertone Loquat~~	~~24" Box~~	~~Standard~~
Cercis reniformis 'Alba'	Texas White Redbud	24" Box	Standard
Maytenus b~~B~~oaria	Mayten Tree	24" Box	Standard
Melaleuca q~~Q~~uinquinervia	Cajeput Tree	24" Box	Multi
~~Pyrus Kawakami~~	~~Evergreen Pear~~	~~24" Box~~	~~Standard~~
Quercus ilex	Holly Oak	24" Box	Standard
Trachycarpus f~~F~~ortunei	Windmill Palm	8' BTH	
Tristania c~~C~~onferta	Brisbane Box	24" Box	Standard

Botanical Name	Common Name	Size	Comments
Common Area Trees (A3/A4)			
Archontophoenix c~~C~~unninghamiana	King Palm	12' BTH	
~~Arecastrum Romanzoffinum~~	~~Queen Palm~~	~~12' BTH~~	
~~Eriobotrya 'Coppertone'~~	~~Coppertone Loquat~~	~~24" Box~~	~~Standard~~
Cercis reniformis 'Alba'	Texas White Redbud	24" Box	Standard
Maytenus b~~B~~oaria	Mayten Tree	24" Box	Standard
Melaleuca q~~Q~~uinquinervia	Cajeput Tree	24" Box	Multi
~~Pyrus Kawakami~~	~~Evergreen Pear~~	~~24" Box~~	~~Standard~~
Quercus ilex	Holly Oak	24" Box	Standard
Trachycarpus f~~F~~ortunei	Windmill Palm	8' BTH	
Tristania c~~C~~onferta	Brisbane Box	24" Box	Standard
Drive Alley Trees (A3/A4)			
~~Eriobotrya 'Coppertone'~~ Callisetemon citrinus	~~Coppertone Loquat~~ Lemon Bottlebrush	24" Box	Standard
Maytenus b~~B~~oaria	Mayten Tree	24" Box	Standard
~~Photinia Fraseri~~	~~Red Leaf Photinia~~	~~24" Box~~	~~Standard~~
Phapiolepis 'Majestic Beauty'	India Hawthorn	24" Box	Standard
Tristania laurina	Water Gum	24" Box	Standard
Vines			
Vines – South/West Exposure			
Distictis b~~B~~uccinatoria	Blood Trumpet Vine	5 Gal	
Ficus p~~P~~umila	Creeping Fig	5 Gal	
Gelsemium sempervirens	Carolina Jessamine	5 Gal	
~~Macfadyena Unguis-Cacti~~	~~Yellow Trumpet Vine~~	~~5 Gal~~	
Vines – Sun/Part Shade Exposure			
Clytostoma c~~C~~allistegioides	Lavander Trumpet Vine	5 Gal	
Hardenbergia v~~V~~iolacea	Lilac Vine	5 Gal	
Parthenocissus t~~T~~ricuspidata	Boston Ivy	5 Gal	
Trachelospermum j~~J~~asminioides	Star Jasmine	5 Gal	
Shrubs			
Interior Common Area & Podium Courtyard Shrubs			
Agapanthus s~~S~~pecies	Lily Of The Nile, Queen Anne	1 Gal	
Asparagus s~~M~~yersii	Myers Asparagus	5 Gal	

Botanical Name	Common Name	Size	Comments
Carex ~~f~~Hacca	Blue Sedge	1 Gal	
Buxus M. J. 'Green Beauty'	Green Beauty Boxwood	5 Gal	
Camellia s~~S~~asanqua	Camellia	5 Gal	
Ceanothus g.h. 'Yankee Point'	Ceanothus Yankee Point	5 Gal	
Dianella Species	Flax Lily	15 Gal	
Dietes hybrids~~Vegata~~	Fortnight Lily	1 Gal	
~~Ensete V. 'Montbeliardii'~~	~~Red Banana~~	~~15 Gal~~	
~~Hebe 'Veronica Lake'~~	~~Hebe~~	~~5 Gal~~	
Hemerocallis 'Bitsy'	Evergreen Bitsy Daylily (Yellow)	1 Gal	
~~Lavendula Species~~Saliva 'Bee's Bliss'	~~Lavander~~ 'Bee's Bliss' Saliva	1 Gal	
Limonium p~~P~~erezii	Sea Lavander	1 Gal	
Liriope m~~M~~uscari	Lily Turf	1 Gal	
Mahonia a~~A~~quifolium	Oregon Grape	5 Gal	
Nandina d~~D~~. 'Firepower'	power Heavenly Bamboo	5 Gal	
~~Nassella Tenuissima~~ Festuca mairei	~~Mexican Feather Grass~~ Atlas Fescue	1 Gal	
Philodendron 'Xanadu'	Xanadu Philodendron	5 Gal	
Phoenix r~~R~~oebelenii	Pigmy Date Palm	15 Gal	
~~Phorium Species~~	~~Flax~~	~~15 Gal~~	
Pittosporum Species	Mock Orange	5 Gal	
R~~P~~hapiolepis Species	India Hawthorn	5 Gal	
Rosa 'Iceberg'	White Rose	5 Gal	
Rumhora a~~A~~diantiformis	Leatherleaf Fern	5 Gal	
Spathiphyllum 'Mauna Loa'	Spathiphyllum	5 Gal	
Strelitzia nicolai	Giant Bird of Paradise	15 Gal	
Strelitzia r~~R~~eginae	Bird Of Paradise	5 Gal	
Trachelospermum j~~J~~asminioides	Star Jasmine	1 Gal	
Streetscape & Perimeter Shrubs			
Agapanthus Species	Lily Of The Nile, Queen Anne	1 Gal	
Anigozanthos f~~F~~lavidus	Kangaroo Paw	1 Gal	
Buxus M.J. 'Green Beauty'	Green Beauty Boxwood	5 Gal	
Dianella Species	Flax Lily	15 Gal	
Dietes ~~Vegata~~ Hybrids	Fortnight Lily	1 Gal	

Botanical Name	Common Name	Size	Comments
Hemerocallis 'Bitsy'	Evergreen Bitsy Daylilly (Yellow)	1 Gal	
Limonium ~~p~~Perezii	Sea Lavander	1 Gal	
~~Phormium Species~~	~~Flax~~	~~15 Gal~~	
Pittosporum Species	Mock Orange	5 Gal	
R~~P~~hapiolepis Species	Indian Hawthorn	5 Gal	
Rosa 'Iceberg'	White Rose	5 Gal	
Rosmarinius Tuscan Upright	Upright Rosemary	5 Gal	
Salvia g~~G~~reggii 'Furman's Red'	Red Salvia Greggii	5 Gal	
Strelitzia r~~R~~eginae	Bird Of Paradise	5 Gal	
Screening & Hedge Plants			
~~Escallonia Fradesii~~	~~Escallonia~~	~~5 Gal~~	
Grewia o~~O~~ccidentalis	Lavander Starflower	5 Gal	Espalier
Ligustrum t~~T~~exanum	Wax Leaf Privet	15 Gal	
Prunus c~~C~~aroliniana	Carolina Laurel Cherry	15 Gal	
Xylosma c~~C~~ongestum	Xylosma	5 Gal	
Drive Alley Shrubs			
Dianella Species	Flax Lily	5 Gal	
Dietes ~~Vegata~~hybrids	Fortnight Lily	1 Gal	
Hemerocallis h~~H~~ybrids	Evergreen Daylily	1 Gal	
Nandina d~~D~~omestica	Hevenly Bamboo	5 Gal	
~~Phormium Species~~	~~Flax~~	~~5 Gal~~	
Podocarpus h~~H~~enkelii	Yew Pine	15 Gal	
Strelitzia r~~R~~eginae	Bird Of Paradise	5 Gal	
~~Trachelospermum Jasminioides~~	~~Star Jasmine~~	~~1 Gal~~	

Security/Barrier Planting				
Bougainvillea Spp	Bougainvellia	5 Gal		
Carissa m~~M~~acrocarpa	Natal Palm	5 Gal		
Hakea s~~S~~uaveolens	Sweet Hakea	5 Gal		
~~Pyracantha Coccinea~~	~~Pyracantha~~	~~5 Gal~~		
Rosa 'Floribundas'	Rose	5 Gal		
Ground Covers				
Annual Color	Annual Color	4" Pots	8" oc	Color By L.A.
Dwarf Tall Fescue	Marathon Ii	Sod		

Botanical Name	Common Name	Size		Comments
Campanula ~~p~~Poscharskyana	Bellflower	Flats	12" oc	Triangular Space
Duchesnea ~~i~~Indica	Indian Mock Strawberry	Flats	12" oc	Triangular Space
Gazania 'Mitsuwa Yellow'	Yellow Gazania	Flats	13" oc	Triangular Space
Lantana ~~m~~Montevidensis 'Alba'	Lantana	Flats	18" oc	Triangular Space
Myoproum ~~p~~Parvifolium	Prostrate Myoproum	Flats	12" oc	Triangular Space
Pelagonium 'Balkan Pink' ~~p~~Trachelospermum	Pink Ivy Geranium	Flats	12" oc	Triangular Space
Jasminioides	Star Jasmine	Flats	18" oc	Triangular Space
Vinca Minor	Dwarf Periwinkle	Flats	12" oc	Triangular Space

4.5 STREETSCAPES

Streetscape elements shall be submitted for approval by the Planning and Public Works Directors. A comprehensive master streetscape plan for the entire project limits shall be submitted prior to issuance of building permits for the first block to be developed, or separate streetscape plans shall be submitted prior to issuance of building permits for each block. Each streetscape plan shall include the elements set forth in Sections 4.~~4~~5.1 to 4.~~4~~5.~~3~~2 herein.

4.5.1 STREET LIGHTING

Human scale and continuation of a modernized, yet traditional American downtown character will govern the selection of streetlights. A combination of Marblelight and "King" standard lighting (City of Ontario Standard Drawing No. 5103) shall be required within the public right-of-way, with LED fixtures along Euclid Avenue and Holt Boulevard~~standard post-top streetlights, with high-pressure sodium vapor lamps, shall be placed along Euclid Avenue and Holt Boulevard~~. King standard post-top lights shall be placed along all other streets. Light spacing and wattage shall be as determined by the City Engineer.

All post-top lamps shall incorporate shielding within the luminaire and/or globe to prevent glare into upper level residential windows. All Marblelight fixtures shall incorporate cut-off shields to prevent glare into upper level residential windows.

4.5.2 STREET FURNITURE AND SIDEWALK ENHANCEMENTS

Street furniture will help to create a special character to reflect the traditional American downtown theme and character. The use of repetitive materials and textures will create a continuity and consistency that is desired throughout the downtown area. A variety of decorative elements will be incorporated into the public sidewalk zone, including bus shelters, benches, tree grates, bike racks, enhanced paving, trash receptacles and possibly bollards. Examples of acceptable materials and styles are illustrated in Exhibit 4-6. Not all elements are required along every street. Selection of appropriate elements shall consider sidewalk widths, size and spacing of street trees, proximity to store entrances, importance of the pedestrian path, and the requirement to maintain a minimum 4 feet clear space for pedestrian movement in all areas. Bus shelters/benches, street furniture and sidewalk enhancements shall be identified on a master streetscape plan to be submitted as part of the Development Plan submitted for each block, or as part of a Development Plan for the overall project. General characteristics to be incorporated into these features include:

- All street furniture shall comply with the Americans with Disabilities Act of 1990
- Benches shall have arms and backs
- A powder-coated, dark finish shall be applied to all fixtures and furniture
- All tree grates shall be iron with 3/8" max slots, with 30" center opening for tree skating and future trunk growth
- Bollards may be placed at entrances to bicycle/pedestrian pathways and where controlled emergency or maintenance access is required or desired. A bottom locking mechanism shall be provided to enable easy removal by authorized City personnel.
- Litter receptacles shall have a fixed top
- Design of bus stop benches and shelters shall satisfy the criteria specified by the local transit agency (currently Omnitrans)
- Bike racks shall be located adjacent to parking areas or bicycle/pedestrian pathways

Other street amenities may be placed in appropriate locations, such as kiosks, newspaper racks, drinking fountains and utility covers. Such amenities shall be comprised of the same character and color as the other street furniture elements.

Street Furniture &
Sidewalk Enhancement
Downtown Civic Center P.U.D.
Exhibit
4-6
Trash Receptacles
Bollards
Tree Grates / Enhanced Paving
Street Benches

Exhibit 4-7
Street Lighting, Thematic Street Signs & Markers
Downtown Civic Center P.U.D.
Downtown Map Sign
Downtown Directional Signs
Interpretive Historic Panel
Downtown Street Signs
Banners on Light Poles
King French Intermediate Street Lamp

5.0 ADMINISTRATION

5.1 DEVELOPMENT CODE GOVERNS IF NOT ADDRESSED IN PUD

Any terms not defined herein and any issues affecting the design and development of the subject project area that not specifically addressed in this PUD shall be governed by the provisions of the Ontario Development Code.

5.2 DEVELOPMENT APPLICATION PROCESSING

A Development Plan shall be submitted for each block, for approval by the Development Advisory Board and the Ontario Planning Commission, pursuant to the Ontario Development Code. ~~No Development Plan shall be approved unless a parking demand/supply study determines there is sufficient on and/or off-street parking to support the proposed land uses~~.

5.3 OTHER APPLICATIONS TO FACILITATE IMPLEMENTATION OF PUD

5.3.1 CHERRY AVENUE VACATION

Blocks A3 and A4 are to be merged to create a single development site for the proposed townhomes. This will require vacation and abandonment of the existing Cherry Avenue right-of- way that separates these blocks. This street vacation/abandonment shall be completed prior to issuance of a building permit for the townhomes project.

5.3.2 CERTIFICATE OF APPROPRIATENESS

To ensure proper implementation of the historic resource preservation and mitigation measures established in the Final EIR for the Downtown Civic Center Project, an application for a Certificate of Appropriateness ("C of A") shall be submitted and approved in conjunction with each block Development Plan. Application requirements and required findings for approval of a C of A are specified in the Ontario Development Code.

5.4 CEQA COMPLIANCE

The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The proposed vacation of Cherry Avenue was not addressed in the Final EIR; therefore, an Addendum to the Ontario Downtown Civic Center Project EIR (SCH No. 200405115) was prepared. This Addendum determined that this PUD application would not introduce any new significant environmental impacts. All applicable mitigation measures adopted with the previous environmental assessment will become a condition of project approval. The City of Ontario will continue to be responsible for implementation of the Mitigation Monitoring and Reporting Program adopted for the Downtown Civic Center Project. This may involve application of one or more mitigation measures to implement this PUD, or fair-share proportions thereof.

5.5 ADMINISTRATIVE EXCEPTIONS

Exceptions to a maximum of 10 percent of any of the development standards set forth in Sections 3.1 to 3.5 may be granted by the Zoning Administrator, in accordance with ~~Article 10 of~~ the Ontario Development Code.

APPENDIX A: ORDINANCES ADOPTING PUD

(Appendix A follows this page)

ORDINANCE NO. 2829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT FILE NO. PUD06-001, TO ESTABLISH DEVELOPMENT REGULATIONS AND GOVERN A MIXED-USE DEVELOPMENT FOR A SIX BLOCK AREA WITHIN DOWNTOWN ONTARIO LOCATED AT THE NEC OF EUCLID AVENUE AND HOLT BOULEVARD (APN: 1048-543-01 THROUGH 10; 1048-544-01, 02, 04 THROUGH 13 & 15 THROUGH 17; 1048-554-01 THROUGH 08; 1048-551-01 THROUGH 09; 1048-552-01, 02, 03, 04 & 06 THROUGH 12, AND 1048-553-01 THROUGH 17)

A. Recitals.

1. J.H. Snyder has filed an application for a Planned Unit Development, File No. PUD06-001, as described in the title of this Ordinance. Hereinafter, the subject Planned Unit Development request shall be referred to as "the application."

2. On the 25th day of April, 2006, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date. After considering all public testimony, the Planning Commission issued Resolution No. 2006-034, recommending to the City Council that the Planned Unit Development, File No. PUD06-001 be approved.

3. On the 16th day of May, 2006, the City Council of the City of Ontario conducted a duly noticed public hearing on the application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, it is hereby found, determined, and ordained by the City Council of the City of Ontario as follows:

SECTION 1: This Council hereby specifically finds that all facts set forth in the Recitals, Part A, of this Ordinance are true and correct; and

1. Based upon substantial evidence presented to the City Council during the above-referenced hearing on May 16, 2006, including written and oral staff reports, together with public testimony, the City Council hereby specifically finds as follows:

a. The application applies to a six block area in downtown Ontario within the Town Center Study area, located on the north side of Holt Boulevard, between B Street, Lemon Avenue and Sultana Avenue and on the east side of Euclid Avenue between Holt Boulevard, D Street, and Lemon Avenue.

b. The Planned Unit Development establishes parameters for the development of the subject site. The Planned Unit Development identifies allowable land uses, maximum development intensity consistent with the General Plan.

c. The Planned Unit Development is comprised of 30.7 acres of land into the following land uses: 140 townhomes, 160 apartments, two mixed use blocks with a total of 72,000 square feet of commercial uses on the ground floor and 218 dwelling units above, and a civic plaza block with two commercial buildings totaling 15,000 square feet and a civic plaza.

d. The Planned Unit Development will provide for development of 518 residential units which is within the density range permitted in the Planned Unit Development ordinance and the General Plan.

e. The Planned Unit Development has been prepared in conformance with the goals and polices of the General Plan.

f. The Planned Unit Development does not conflict with the Land Use Policies of the General Plan and will provide for development, within the Town Center, in a manner consistent with the General Plan and with related development; and

g. This Planned Unit Development will promote the goals and objectives of the Land Use Element of the General Plan.

SECTION 2: Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in paragraphs 1 and 2 above, this Council hereby concludes as follows:

a. The subject property is suitable for the uses permitted in the proposed Planned Unit Development in terms of access, size, and compatibility with existing land use in the surrounding area; and

b. The proposed Planned Unit Development is in conformance with the General Plan.

SECTION 3: That the City Council has determined that the environmental impacts of this project were reviewed in conjunction with an Addendum to Environmental Impact Report for Ontario Downtown Civic Center (SCH No. 2004051155), certified on November 16, 2004. This application introduces no new significant environmental impacts and that all previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

SECTION 4: Based upon the findings and conclusions set forth in paragraphs 1, 2, 3 and 4 above, the City Council hereby approves of the Planned Unit Development subject to each and every condition set forth in the Department reports, attached hereto and incorporated by this reference.

SECTION 5: The Mayor shall sign this Ordinance and the City Council shall cause the same to be published within fifteen (15) days after passage, at least once, in a newspaper of general circulation, published and circulated in the City of Ontario, California.

APPROVED AND ADOPTED by the members of the City Council of the City of Ontario this 6th day of June, 2006, by the following votes:

AYES: Mayor P. Leon, Council Members A. Wapner, J. Anderson and S. Mautz.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Paul S. Leon, Mayor

ATTEST:

City Clerk

AFFIDAVIT OF POSTING

I declare under penalty of perjury that I am employed by the City of Ontario in the Records Management/City Clerk's Department and that I posted a copy of this document at City Hall, 303 East "B" Street, Ontario, California.

On June 8 2006 at 9am

Karen Harrison
Signature

APPROVED AS TO FORM:

City Attorney

Certification

I declare under penalty of perjury that I am employed by the City of Ontario and hereby certify that the attached document is a true and correct copy as on file in the Records Management/City Clerk Department, City Hall, 303 East "B" Street, Ontario, California.

Karen Harrison 6/8/06
Signature Date

(Space below for use of County Clerk only)

RECEIVED
JUN
14
2006
Records Management

INLAND VALLEY
DAILY BULLETIN
(formerly The Daily Report)

2041 E. 4th Street
Ontario, CA 91764

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of San Bernardino

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily in the City of Ontario, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, on the date of August 24, 1951, Case Number 70663. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

6/13/06

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Ontario, San Bernardino Co. California
this 13 day of JUNE, 20 06

Courtney Bowen
signature

Proof of Publication of

ORDINANCE NO. 2829

On June 6, 2006, the Ontario City Council adopted an Ordinance approving File No. PUD 04-001 (Planned Unit Development) to establish development regulations and govern a mixed-use development for a six block area within Downtown Ontario, including a mixed-use district to allow a vertical mix of commercial and attached residential land uses with off-street parking structures, a civic plaza district to function as a public commons area, an apartment district with off-street parking structures and a townhome district for individual attached units with private garages. The full text of the Ordinance is available at Ontario's Records Management/ City Clerk's Department, 303 East "B" Street, Ontario, California. Said Ordinance was approved and adopted by the following vote: Ayes: Mayor P. Leon, Mayor pro Tem A. Wapner, Council Members J. Anderson and S. Mautz. Noes/Abstain/Absent None.

Publish: Tuesday, June 13, 2006. #56858

Notice space.

2235

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8

ORDINANCE NO. 2937

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD08-001, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT, INCREASING THE MAXIMUM RESIDENTIAL DENSITY RANGE WITHIN BLOCK C1 FROM 45-50 DWELLING UNITS PER ACRE TO 45-65 DWELLING UNITS PER ACRE, AND CLARIFYING THAT BOTH "FOR SALE" AND "FOR RENT" HOUSING IS ALLOWED WITHIN THE COMMERCIAL/RESIDENTIAL MIXED-USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1048-551-10 THROUGH 13; 1048-552-13 THROUGH 19; 1048-553-01 THROUGH 17; 1048-547-04 THROUGH 94; AND 1048-548-01 THROUGH 54.

WHEREAS, J.H. SNYDER COMPANY ("Applicant") has filed an Application for the approval of an amendment to the Downtown Civic Center Planned Unit Development, File No. PUD08-001, increasing the maximum residential density range within the Commercial/Residential Mixed-Use District from 45-50 dwelling units per acre to 45-65 dwelling units per acre, and clarifying that both "for sale" and "for rent" housing is allowed within the District (hereinafter referred to as "Application" or "Project"); and

WHEREAS, in June 2006, the City Council adopted Ordinance No. 2829 approving the Downtown Civic Center Planned Unit Development ("DCCPUD"), which governs land use and development within a 6-block area within the heart of the City's original downtown, including 3 blocks along Holt Boulevard, between Lemon Avenue and Sultana Avenue, and 3 blocks along Euclid Avenue, between Holt Boulevard and D Street; and

WHEREAS, the Application specifically applies to the Commercial/Residential Mixed-Use District, affecting Blocks A1, generally located at the northeast corner of Euclid Avenue and Holt Boulevard, and C1, generally located at the southeast corner of Euclid Avenue and D Street; and

WHEREAS, an Environmental Impact Report ("EIR") (State Clearinghouse No. 200405115) was certified on November 16, 2004, in which development and use of the Project site was discussed; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project and that preparation of an addendum to the EIR was appropriate; and

WHEREAS, to consider the potential environmental impacts of the Project, the City prepared an addendum to the certified EIR pursuant to CEQA and the Guidelines promulgated thereunder (hereinafter referred to as "Addendum"); and

WHEREAS, the City Council reviewed the Addendum and all other relevant information presented to it regarding the Addendum on April 5, 2011, and after evaluating the environmental impacts associated with the Project, concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred; and

WHEREAS, in 2006, the City Council adopted the Downtown Civic Center Planned Unit Development ("DCCPUD"), which governs land use and development within a 6-block area immediately adjacent to the Civic Center complex, including the blocks located on the east side of Euclid Avenue, between D Street and Holt Boulevard, and on the north side of Holt Boulevard, between Euclid and Sultana Avenues. Following adoption of the DCCPUD, the Planning Commission approved a Development Plan (File No. PDEV06-009) for the development of 4 of the 6 blocks, including the C1 Block with a 4-story mixed-use development consisting of 108 housing units over 32,850 square feet of commercial space (at ground level), the A2 Block with 160 apartment units in 4 stories, and the A3 and A4 Blocks with 140 townhomes. The A2, A3 and A4 blocks have since been fully developed by the JH Snyder Company (the "Applicant") and have been occupied since 2009. The C1 Block, however, was not constructed due to the economic downturn; and

WHEREAS, in April 2011, the Ontario Housing Authority entered into a Disposition and Development Agreement ("DDA") with the Applicant, which, stipulates that the Authority will ground lease the C1 block to the Applicant and will contribute affordable housing funds toward the development, operation, and maintenance of 153 affordable housing units within the C1 block. Furthermore, the DDA requires the Applicant obtain necessary development entitlements and obtain the approval of an amendment to the DCCPUD, as the number of dwelling units currently allowed to be developed within the C1 block (108 units maximum) is less than stipulated by the DDA. Therefore, the Applicant is requesting an amendment to the DCCPUD, which proposes an increase in the maximum density range for residential development within the C1 Block from 45-50 dwelling units per acre to 45-65 dwelling units per acre. The amendment will also include changes to the Commercial/Residential Mixed-Use District descriptive language, affecting both the A1 and C1 Blocks, clarifying that both "for sale" and "for rent" housing is allowed within the District, consistent with the other land use districts of the DCCPUD and the City's Development Code; and

WHEREAS, the density increase for the C1 Block would be contained within the previously approved building footprint, and will be facilitated by replacing approximately one-half of the two-bedroom units with one-bedroom units, along with a reduction in unit sizes. The proposed density increase is well within the housing unit count of the *Preferred* development scenario analyzed in the Downtown Civic Center Concept Plan, adopted by the City Council in 2004, and the Downtown Civic Center Project Environmental Impact Report; and

WHEREAS, on May 16, 2011, the Development Advisory Board of the City of Ontario conducted a hearing and issued a Decision recommending Planning Commission approve the Application; and

WHEREAS, on May 24, 2011, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and issued a Resolution, recommending the City Council approve the Application.

WHEREAS, on June 7, 2011, the City Council of the City of Ontario conducted a duly noticed public hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. The City Council reviewed the Addendum and all other relevant information presented to it regarding the Addendum, and after evaluating the environmental impacts associated with the Project, concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred and approved the Addendum on April 5, 2011, as the Project:

a. Does not constitute substantial changes to the certified EIR that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

b. Does not constitute substantial changes with respect to the circumstances under which the certified EIR was prepared, that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

c. Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, that shows any of the following:

1. The project will have one or more significant effects not discussed in the certified EIR; or

2. Significant effects previously examined will be substantially more sever than shown in the certified EIR; or

3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

4. Mitigation measures or alternatives considerably different from those analyzed in the certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 2. Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the City Council hereby concludes as follows:

a. The proposed Planned Unit Development Amendment is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The goals and policies furthered by the proposed project are as follows:

Land Use

Goal—LU1 A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

Policy—LU1-1 *Strategic Growth*. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

Community Design

Goal—CD1 A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

Policy—CD1-1 *City Identity*. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

Policy—CD1-2 *Growth Areas*. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

Goal—CD2 A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

Policy—CD2-1 *Quality Architecture*. We encourage all development projects to convey visual interest and character through:

- building volume, massing, and height to provide appropriate scale and proportion;
- a true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

Policy—CD2-5 *Streetscapes*. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

Policy—CD2-8 *Safe Design*. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

Goal—CD3 Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

Policy—CD3-1 *Design*. We require that pedestrian, vehicular, bicycle and equestrian circulation (where appropriate) on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

Goal—CD4 Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.

Policy—CD4-2 *Collaboration with Property Owners and Developers.* We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.

Housing

Goal—H2 Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

Policy—H2-1 *Corridor Housing*. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.

Policy—H2-2 *Historic Downtown*. We foster a vibrant historic downtown through facilitating a wide range of housing types and affordability levels for households of all ages, housing preferences, and income levels.

Policy—H2-5 *Housing Design*. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Policy—H2-6 *Infill Development*. We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.

Goal—H4 Increased opportunities for low and moderate-income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.

Policy—H4-4 *Mixed-income Housing*. We encourage the integration of affordable housing in the New Model Colony, Ontario Airport Metro Center Area, and existing neighborhoods.

Community Economics

Goal—CE1 A complete community that provides for all incomes and stages of life

Policy—CE1-6 *Diversity of Housing*. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

Policy—CE1-7 *Retail Goods and Services*. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.

b. The proposed Planned Unit Development Amendment, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. A total of 376 housing units have been constructed within the Downtown Civic Center area. The proposed density increase would allow for the development of an additional 312 housing units, an increase of 72 housing units, for a total of 688 housing units within the with Downtown Civic Center area. This proposed increase is within the housing unit count of the *Preferred* development scenario analyzed in the Downtown Civic Center Concept Plan (adopted by the City Council in 2004) and Environmental Impact Report, which proposed 734 housing units. Therefore, the proposed increase in residential density would not adversely affect the public interest, health, safety, convenience, or general welfare of the City

c. The proposed Planned Unit Development Amendment will not adversely affect the harmonious relationship with adjacent properties and land uses. The proposed change in residential density represents a small incremental increase in the total number of housing units that may be developed within the Downtown Civic

Center area. Furthermore, the proposed increase in density does not exceed the housing unit count of the *Preferred* development scenario previously analyzed. Therefore, proposed DCCPUD amendment would not adversely affect the harmonious relationship with adjacent properties and land uses.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council approves File No. PUD08-001, and direct staff to make all appropriate and necessary changes to the Downtown Civic Center Planned Unit Development document, to incorporate the following amendments:

a. Increase the maximum residential density range in the C1Block, from 45-50 dwelling units per acre to 45-65 dwelling units per acre; and

b. Clarify and ensure that both "for sale" and "for rent" housing is allowed within the Commercial/Residential Mixed-Use District, affecting both Blocks A1 and C1.

SECTION 4. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid, unconstitutional or otherwise struck-down by a court of competent jobs, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more portions of this ordinance might be declared invalid.

SECTION 5. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 21st day of June 2011.

PAUL S. LEON, MAYOR

ATTEST:

for MARY E. WIRTES, MMC, CITY CLERK

APPROVED AS TO FORM:

for JOHN E. BROWN, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, MARY E. WIRTES, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 2937 was duly introduced at a regular meeting of the City Council of the City of Ontario held June 7, 2011 and adopted at the regular meeting held June 21, 2011 by the following roll call vote, to wit:

AYES:	MAYOR/COUNCIL MEMBERS:	LEON, DORST-PORADA, WAPNER, MAUTZ AND BOWMAN
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE

for MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 2937 duly passed and adopted by the Ontario City Council at their regular meeting held June 21, 2011 and that Summaries of the Ordinance were published on June 14, 2011 and June 28, 2011, in the Inland Valley Daily Bulletin newspaper.

for MARY E. WIRTES, MMC, CITY CLERK

(SEAL)

RECEIVED
(Space below for use of County Clerk only)
11 JUN 16 AM 10: 12
CITY OF ONTARIO
CITY CLERK/RECORDS

INLAND VALLEY DAILY BULLETIN
(formerly The Daily Report)

2041 E. 4th Street
Ontario, CA 91764

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of San Bernardino

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily in the City of Ontario, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, on the date of August 24, 1951, Case Number 70663. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

6/14/11

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Ontario, San Bernardino Co. California
this 14 day of JUNE, 20 11

signature

11

Proof of

PUBLIC NOTICE OF PROPOSED ADOPTION OF CITY OF ONTARIO ORDINANCE NO. 2937

NOTICE IS HEREBY GIVEN that on June 21, 2011, the City Council of the City of Ontario will consider adoption of proposed Ordinance No. 2937 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD08-001, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT, INCREASING THE MAXIMUM RESIDENTIAL DENSITY RANGE WITHIN BLOCK C1 FROM 45-50 DWELLING UNITS PER ACRE TO 45-65 DWELLING UNITS PER ACRE, AND CLARIFYING THAT BOTH "FOR SALE" AND "FOR RENT" HOUSING IS ALLOWED WITHIN THE COMMERCIAL/RESIDENTIAL MIXED-USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 1048-551-10 THROUGH 13; 1048-552-13 THROUGH 19; 1048-553-01 THROUGH 17; 1048-547-04 THROUGH 94; AND 1048-548-01 THROUGH 54.

The proposed amendment to the Downtown Civic Center Planned Unit Development would have a positive fiscal impact by way of an increase in development impact fees and property taxes resulting from an increase in residential density.

A copy of the full text of the proposed ordinance is available for review in the office of the City Clerk, City of Ontario, 303 East B Street, Ontario, California 91764, Monday through Thursday, 7:30 a.m. to 5:30 p.m. and Friday, 8:00 a.m. to 5:00 p.m.

Dated: June 8, 2011

s/VICKI KASAD, MMC, ASSISTANT CITY CLERK

Publish: Daily Bulletin June 14, 2011
#40582

(Space below for use of County Clerk only)

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INLAND VALLEY DAILY BULLETIN
(formerly The Daily Report)

2041 E. 4th Street
Ontario, CA 91764

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of San Bernardino

I am a citizen of the United States, I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of INLAND VALLEY DAILY BULLETIN, a newspaper of general circulation printed and published daily in the City of Ontario, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, on the date of August 24, 1951, Case Number 70663. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

6/28/11

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Ontario, San Bernardino Co. California
this 28 day of JUNE, 20 11

signature

13

Proof

PUBLIC NOTICE OF ADOPTION OF CITY OF ONTARIO ORDINANCE NO. 2937

NOTICE IS HEREBY GIVEN that on June 21, 2011, the City Council of the City of Ontario adopted Ordinance No. 2937 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD08-001, AN AMENDMENT TO THE DOWNTOWN CIVIC CENTER PLANNED UNIT DEVELOPMENT, INCREASING THE MAXIMUM RESIDENTIAL DENSITY RANGE WITHIN BLOCK C1 FROM 45-50 DWELLING UNITS PER ACRE TO 45-65 DWELLING UNITS PER ACRE, AND CLARIFYING THAT BOTH "FOR SALE" AND "FOR RENT" HOUSING IS ALLOWED WITHIN THE COMMERCIAL/RESIDENTIAL MIXED-USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 1048-551-10 THROUGH 13; 1048-552-13 THROUGH 19; 1048-553-01 THROUGH 17; 1048-547-04 THROUGH 94; AND 1048-548-01 THROUGH 54.

The amendment to the Downtown Civic Center Planned Unit Development would have a positive fiscal impact by way of an increase in development impact fees and property taxes resulting from an increase in residential density.

Ordinance No. 2937 was adopted by the following roll call vote:

Ayes: Leon, Dorst-Porada, Wapner, Mautz and Bowman
Noes: None
Absent: None

A certified copy of the full text of the Ordinance is available for review in the office of the City Clerk, City of Ontario, 303 East B Street, Ontario, California 91764, Monday through Thursday, 7:30 a.m. to 5:30 p.m. and Friday, 8:00 a.m. to 5:00 p.m. and at www.ci.ontario.ca.us.

Dated: June 22, 2011

s/VICKI KASAD, MMC, ASSISTANT CITY CLERK

Publish: Inland Valley Daily Bulletin
June 28, 2011 #57505

APPENDIX B: MITIGATION MONITORING PROGRAM

(Appendix B follows this page)

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MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
Air Quality	Emissions from project construction equipment.	**MM Air 1**: Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturer's specifications.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Emissions from project construction equipment.	**MM Air 2**: Prohibit all vehicles from idling in excess of ten minutes, both on-site and off-site.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 3**: Water active grading sites at least twice daily. Water unpaved roads or surfaces at least twice daily. Water surfaces before grading.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 4**: Trucks hauling dirt, sand, gravel or soil are to be covered or should maintain at least two feet of freeboard, in accordance with Section 23114 of the California Vehicle Code.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 5**: Reduce on-site vehicle speed to less than 15 mph.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 6**: Sweep nearby or adjacent streets at the end of the day if visible soil material is carried over from construction site.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 7**: Suspend all grading and excavating operations when wind speeds exceed 25 mph.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor
Air Quality	Dust emissions during construction activities.	**MM Air 8**: Hydroseed or apply soil stabilizers to inactive construction areas left inactive for ten days or more, or replant vegetation in disturbed areas as soon as possible.	Include in construction document specifications to be implemented during Construction	City of Ontario construction document plan checker. Contractor

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
Air Quality	Impacts to air quality due to long-term emissions.	**MM Air 9**: The project will participate in the cost of off-site improvements through fair-share payment of the Development Impact fee as established by the City of Ontario. These fees should be collected and utilized as needed by the City to construct the improvements necessary to maintain the required level of service.	Prior to building permits As required to maintain required LOS	Developer/Housing Authority Pays. Engineering implements improvements
Air Quality	Impacts to air quality due to long-term emissions.	**MM Air 10**: Local transit agencies (Omnitrans and RTD) shall be contacted to determine bus routing in the project area that can accommodate bus stops at the project access points and the project shall provide bus passenger benches and shelters at these project access points. See MM 22.	Prior to site plan approvals for overall project concept for location Prior to issuance of last Certificate of Occupancy for construction	Planning Department, Developer and Omnitrans
Cultural	Impact due to loss of, or significant alteration of an historic resource**.**	**MM Cultural 1:** Prior to issuance of building permits, determination of the status of historical designation of each structure within the project area shall be completed by City Planning Department staff and the Historic Preservation Commission, as required in City Development Code. Table III-2-C shall be consulted in order to determine the mitigation measures required based on the status of historical designation. On the vertical axis, Table III-2-C lists the possible "status of historical designation" to which a property could be subject. The horizontal axis shows all the potential actions that could occur to each building in the project area and lists the appropriate mitigation measures required for each.	Prior to the issuance of building permits, the Planning Department shall be consulted and historical designations verified. Prior to demolition or building permits, Table III-2-C shall be consulted	Planning Department Staff Developer provides proof of completion of mitigation
Cultural	Undocumented cultural/archaeological resources.	**MM Cultural 2:** Should any cultural and/or archaeological resources be accidentally discovered during construction, construction activities shall be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine the significance of these resources. If the find is determined to be an historical or unique archaeological resource, as defined in Section 15064.5	If found during construction	Contractor and City Staff

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.		
Cultural	Undocumented cultural/archaeological resources.	**MM Cultural 3:** If paleontological resources are identified during any excavations, construction activities shall be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine the significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented. One appropriate measure would include that a qualified paleontologist shall be permitted to recover and evaluate the find(s) in accordance with current standards and guidelines.	If found during construction	Contractor and City staff
Cultural	Discovery of human remains	**MM Cultural 4**: In the event of the accidental discovery or recognition of any human remains during excavation/construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner has been contacted and any required investigation or required Native American consultation has been completed.	If found during construction	Contractor and City staff
Geology	Erosion due to wind	**MM Geo 1:** To reduce impacts associated with erosion due to high winds, prior to construction, all development/ redevelopment plans will apply for and adhere to the permit given by the City of Ontario and enforced by the Building Official found in Title 6, Chapter 12, sections 6-12.01 – 6-12.07. The permit lasts for one (1) year, therefore all construction lasting for a period of more than one calendar year from the date of issue will reapply for the permit and pay the annual fee of $250 plus $5 per acre for each acre over ten acres.	Prior to issuance of grading or demolition permits	Building official
Geology	Construction on an unstable geologic unit	**MM Geo 2:** Prior to approval of all development plans in the Downtown Ontario Civic Center project area, site-specific geotechnical report(s) shall be	Prior to approval of development plans.	Building and Engineering Department

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		submitted to the City of Ontario's Building and Engineering Departments for review and approval. The recommendations provided in the geotechnical report shall be incorporated into the design of the project, or portion of the project under construction.		
Hazards	Release of asbestos through demolition of asbestos-containing materials	**MM Haz 1:** A comprehensive survey for asbestos-containing materials (ACM) that meets the requirements of the South Coast Air Quality Management District's Rule 1403 shall be performed by the City of Ontario on all buildings built prior to 1980 that are proposed to be altered or demolished. This mitigation measure shall apply to properties 2, 5, 8, 12, and 19 referenced in Table III-4-A and other properties listed in Table III-4-B that do not have a reference number. ACM shall be removed by a State-licensed asbestos abatement contractor prior to demolition or burning.	Prior to demolition	Housing Authority and Developer
Hazards	Lead-based paint exposure	**MM Haz 2:** In order to reduce potential impacts related to lead-based paint exposure and/or disposal, and because it is not certain which buildings will be demolished, if any building identified in an Environmental Site Assessment (ESA) or if constructed in 1978 or earlier, than a lead-based paint survey shall be conducted. Buildings 2, 5, 7, 12 (Table III-4-A) have been identified as having lead-based paint, either through a previous ESA, or through a subsequent lead- based paint survey. Lead abatement and/or proper disposal shall be conducted by a qualified specialist.	Prior to demolition and/or Construction	Housing Authority and Developer
Hazards	Oil-stained concrete pads	**MM Haz 3:** For oil-stained areas in, and around Richard's Beauty College (200 N. Euclid Avenue) identified in the Phase I Environmental Site Assessment prepared by P & D Environmental Report No. 8 in Table III-4-A (June 18, 2003: Project No. 174717.0043), the City of Ontario shall be responsible for excavation and proper disposal of oil-	Prior to building permits.	Housing Authority and Developer

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		stained concrete pads (since it was determined in the Phase II that soil underlying the concrete had not been significantly contaminated, though the stained pads remain).		
Hazards	Undocumented hazardous materials	**MM Haz 4:** In the event that construction reveals aterial believed to be hazardous waste, as defined in Section 25117 of the California Health & Safety Code, the developer shall contact the City of Ontario Fire Department Hazardous Materials Division and the County of San Bernardino Environmental Health Department. Excavation shall be stopped until the material has been tested and the presence of hazardous waste has been confirmed. If no hazardous waste is present, excavation may continue. If hazardous waste is determined to be present, the California Department of Toxic Substances Control shall be contacted and the material shall be removed and disposed of pursuant to applicable provisions of California law.	If found during construction	Developer
Hazards	Undocumented hazardous materials	**MM Haz 5:** In the event that during alteration of an existing building hazardous materials are discovered, and that they are not removed as part of the building's rehabilitation, the building shall be placed on an appropriate hazardous materials database by the City of Ontario.	If found during construction	Building Department and Developer
Hazards	Underground storage tanks	**MM Haz 6:** The underground tanks used at the old Police Facility have been removed and properly abated. If any underground tanks are discovered during construction, the developer, in coordination with the County Fire Department, shall remove them. If above ground tanks are removed as part of this project, a replacement plan for at least one 500-gallon tank/fueling station to support City operations near the Civic Center should be implemented.	If required.	Developer, County Fire Department for removal issues, City for replacement issue.
Hazards	Potential impacts to evacuation routes and	**MM Haz 7:** During construction, access from adjacent homes and businesses and two-way traffic	During construction	Contractor

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	other streets.	flow must be specifically maintained on Euclid Avenue and Holt Boulevard, which are designated "evacuation routes" with detours and/or flagmen. Access and two-way traffic flow on Sultana Avenue and "D" Street must also be maintained with detours and/or flagmen to the satisfaction of the Ontario City Fire Department.		
Hazards	Potential interference with air traffic, height restrictions.	**MM Haz 8**: Structures within the project area cannot exceed 122 feet from the site elevation of 980 feet above sea level including temporary structures such as cranes used during construction.	Include in construction document specifications to be implemented during Construction	Building Department, Contractor, Site Inspectors
Hazards	Potential unwanted noise impacts to future land owners or lessees.	**MM Haz 9**: To disclose to the buyer or lessee of subdivided lands within the Civic Center project of the proximity of this site to the Ontario International Airport as required by AB 2776, the City shall disclose, and ensure that the developer makes such disclosures, as required by law to all future buyers.	Prior to specified filings and sale agreements as stated in AB 2776	Housing Authority and Developer
Hydrology	Violation of water quality or waste discharge requirements.	**MM Hydro 1:** In order to ensure that construction activities associated with the Ontario Downtown Civic Center project will not cause a violation of any water quality standard or waste discharge requirements, and to assure no substantial degradation of water quality occurs, developments within the project area shall comply with all applicable provisions of the State's General Permit for Construction Activities (Order No. 99-08- DWQ, or most recent version) during all phases of construction.	Prior to grading and during construction.	Developer and Contractor
Hydrology	Violation of water quality or waste discharge requirements.	**MM Hydro 2:** In order to ensure that the Ontario Downtown Civic Center project will not cause or contribute to violations of any water quality standard or waste discharge requirements, and to assure no substantial degradation of water quality occurs, the project will complete a Water Quality Management Plan (WQMP) pursuant to the MS4 permit (Order No. 2002-0012) adopted by the City of Ontario. The	Prior to development plan approval	Developer, Planning and Engineering Department

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		project shall incorporate Site Design BMPs and Source Control BMPs, and potentially Treatment Control BMPs. See Table III-5-E in EIR.		
Hydrology	Violation of water quality or waste discharge requirements.	**MM Hydro 3:** To assure that development of the Ontario Downtown Civic Center project will not cause a violation of any water quality standard or waste discharge requirements, including San Bernardino County's MS4 permit issued by the SARWQCB, and to assure that no substantial degradation to water quality occurs after construction, any loading docks present within the office, academic or retail areas specified in the project description will be designed with devices to trap oil and grease, such that these pollutants are not discharged from the site in storm water or non- storm water discharges.	Prior to development plan approval and building	Developer, Public Works, Engineering Department and Building Official
Hydrology	New storm drain facilities	**MM Hydro 4**: In the event that connections to the existing storm drain system are required, each development within the Ontario Downtown Civic Center Project will be required to pay a drainage impact fee.	Prior to grading permits	Developer and Building Department
Land Uses & Aesthetics	Safety hazards and noise	**MM LU 1**: To limit exposure to noise from traffic and traffic hazards for children playing along busy streets, no ground floor outdoor residential use areas shall be allowed to front along Holt Boulevard or Euclid Avenue.	Prior to site plan approval	Planning Department
Land Uses & Aesthetics	Land use compatibility and aesthetics related to residential historic neighborhood.	**MM LU 2:** To address both aesthetic and land use compatibility issues, design of new structures located along 'D' Street and Sultana Avenue shall be sensitive to the mass, scale, and architectural style of the existing residential areas located east and north of the project area.	Prior to site and architectural plan approvals	Planning and Building Departments
Land Uses & Aesthetics	Land use compatibility and aesthetics related to historic commercial	**MM LU 3:** New construction and adaptive reuse located along and adjacent to Euclid Avenue shall be sensitive to historic structures on- and off-site. (See also mitigation measures in the Cultural Resources	Prior to architectural plan approvals	Planning and Building Departments

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	buildings	section of this EIR.)		
Land Uses & Aesthetics	Safety in public parks	**MM LU 4**: Parks and open spaces shall be designed for ease of resident and police surveillance.	Prior to site plan approvals	Planning and Police Departments
Noise	Construction noise	**MM Noi 1:** The construction activities of the proposed project shall comply with the City of Ontario noise ordinance that prohibits construction activities on Sundays, Federal holidays, and other days between the hours of 7:00 p.m. and 7:00 a.m.	During construction	Contractor
Noise	Construction noise	**MM Noi 2:** To the extent possible, the number of graders on-site shall be limited to two, or temporary sound barriers shall be installed adjacent to sensitive receptors for the duration of the grading activities.	During construction	Contractor and City Inspectors
Noise	Construction noise	**MM Noi 3**: Construction staging areas shall not be located within 150 feet of existing sensitive receptors and construction equipment shall be fitted with properly operating and maintained mufflers.	Prior to grading plan approval	Engineering Department and Contractor
Noise	Indoor noise impacts	**MM Noi 4:** Architectural plans shall be submitted to the City of Ontario Building Department for an acoustical plan check prior to the issuance of building permits.	Prior to architectural plan approval	Developer and Building Official
Public Services	Impacts to public services	**MM Serv 1:** The project applicant shall pay police, library and fire service development impact fees in place at the time certificates of occupancy are issued.	Prior to building permits	Developer and Bldg. Official
Public Services	Public Safety	**MM Serv 2:** The Ontario Police Department shall maintain a substation facility within proximity to service the proposed project area.	Determine appropriate location. Open by 350th Certificate of Occupancy	Planning and Police Departments
Public Services	Impacts to schools of additional students	**MM Serv 3:** The project applicant shall pay school fees or otherwise meet project obligations to schools, as required by Ontario-Montclair School District and Chaffey Joint Union High School District.	Prior to building permits	Developer and Building Official
Public Services	Adequate park space	**MM Serv 4:** The project applicant shall pay park fees in place at the time building permits are issued, dedicate land and/or develop parks (or a combination of these) to the satisfaction of the Public	Prior to site plan approval	Planning and Parks Departments

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		Works Department to meet City parkland requirements.		
Opening Year with Preferred Project Scenario				
Traffic	With Preferred Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 1:** Install traffic signal and modify the intersection of I-10 WB Off-ramp/ 7th Street to include the following geometrics: Northbound: One left-turn lane. One shared through and right-turn lane. Southbound: N/A. Eastbound: One left-turn lane and one through lane. Westbound: One through lane and one right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 2:** Install traffic signal at Euclid Avenue/ E Street intersection.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans Building Dept. collects all development impact fees.
To comply with CMP standards and reduce all potential impacts to LOS E or better, the following mitigation measures shall be implemented as part of the project. **Build-Out Year with Project (CMP Intersections)**				
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 3:** Modify the intersection of Euclid Avenue/ SR-60 East-bound ramps to include the following geometrics: Northbound: Three through lanes. One right-turn lane. Southbound: Two left-turn lanes. Three through lanes. Eastbound: One left-turn lane. One shared left and through lane. One right-turn lane. Westbound: N/A.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential	**MM Trans 4:** Modify the intersection of Euclid Avenue/ SR-60 West-bound ramps to include the following geometrics: Northbound: Two left-turn lanes. Three through	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	impacts to LOS E or better	lanes. Southbound: Three through lanes. One right-turn lane. Eastbound: N/A. Westbound: One left-turn lane. One shared left and through lane. One right-turn lane.		development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 5:** Modify the intersection of Euclid Avenue/ Philadelphia Street to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One right-turn lane. Southbound: Two left-turn lanes. Three through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Two through lanes. One right-turn lane. Westbound: One left-turn lane. One through lane. One shared through and right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 6:** Modify the intersection of Euclid Avenue/Mission Boulevard to include the following geometrics: Northbound: One left-turn lane. Three through lanes. One right-turn lane. Southbound: Two left-turn lanes. Three through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Two through lanes. One shared through and right-turn lane. Westbound: Two left-turn lanes. Three through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 7:** Modify the intersection of Euclid Avenue/Holt Avenue to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Two through lanes.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		One shared through and right-turn lane. Eastbound: Two left-turn lanes. Three through lanes. One right-turn lane. Westbound: Two left-turn lanes. Two through lanes. One right-turn lane.		
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 8:** Modify the intersection of Euclid Avenue/4th Street to include the following geometrics: Northbound: One left-turn lane. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Two through lanes. One through and right-turn shared lane. Eastbound: One left-turn lane. Three through lanes. One right-turn lane. Westbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 9:** Add 2nd southbound left-turn lane and 4th northbound through lane at the intersection of Euclid Avenue/I-10 EB Ramps.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 10:** Modify the intersection of Campus Avenue/Mission Boulevard to include the following geometrics: Northbound: One left-turn lane. One through lane. One through and right-turn shared lane. Southbound: One left-turn lane. One through lane. One through and right-turn shared lane. Eastbound: One left-turn lane. Three through lanes. One right-turn lane. Westbound: One left-turn lane. Two through lanes. One through and right-turn shared lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project	**MM Trans 11:** Modify the intersection of Campus	Development Impact Fees and	City Engineering Department

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	Avenue/Holt Boulevard to include the following geometrics: Northbound: One left-turn lane. One through lane. One through and right-turn shared lane. Southbound: One left-turn lane. One through lane. One through and right-turn shared lane. Eastbound: One left-turn lane. Two through lanes. One through and right-turn shared lane. Westbound: One left-turn lane. Two through lanes. One through and right-turn shared lane.	Fair Share Fees to be paid at the time of development plan approval	SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 12:** Modify the intersection of Grove Avenue/Mission Boulevard to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One through and right-turn shared lane. Southbound: Two left-turn lanes. Four through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane. Westbound: Two left-turn lanes. Four through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 13:** Modify the intersection of Grove Avenue/Holt Boulevard to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Three through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Three through lanes. One right-turn lane. Westbound: Two left-turn lanes. Three through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans Building Dept. collects all development impact fees.

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 14:** Modify the intersection of Vineyard Avenue/Holt Boulevard to include the following geometrics: Northbound: One left-turn lane. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Two through lanes. One through and right-turn shared lane. Eastbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane. Westbound: Two left-turn lanes. Three through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 15:** Modify the intersection of Mountain Avenue/Mission Boulevard to include the following geometrics: Northbound: One left-turn lane. Two through lanes. One right-turn lane. Southbound: Two left-turn lanes. Two through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Three through lanes. One right-turn lane. Westbound: Two left-turn lanes. Three through lanes. One right-turn lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 16:** Modify the intersection of Mountain Avenue/Holt Boulevard to include the following geometrics: Northbound: Two left-turn lanes. Three through lanes. One right-turn lane. Southbound: One left-turn lane. Three through lanes. One right-turn lane. Eastbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane. Westbound: Two left-turn lanes. Two through lanes. One through and right-turn shared lane.	Development Impact Fees and Fair Share Fees to be paid at the time of development plan approval	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project	**MM Trans 17:** Add 3rd Eastbound through lane and	Development Impact Fees and	City Engineering Department

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	3rd Westbound through lane at the intersection of San Antonio Avenue/Holt Boulevard.	Fair Share Fees to be paid at the time of development plan approval	SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 18:** The project will participate in the cost of off-site improvements through the payment of the city of Ontario Development Impact "fair share" mitigation fees. These fees shall be collected by the City at the time of issuance of building permits and utilized as needed by the City to construct the above improvements necessary to maintain acceptable levels of services in the project area.	Prior to Building Permits	City Engineering Department SANBAG and Caltrans. Building Dept. collects all development impact fees.
Traffic	With Preferred Project Scenario, to comply with CMP standards and reduce all potential impacts to LOS E or better	**MM Trans 19:** In addition to the DIF, the developer will pay fair share costs for all off-site roadway improvements that are not included in the existing DIF. Table III-10-I in the Final EIR summarizes these fair share costs that the developer will have to pay in addition to the DIF.	Prior to Building Permits	Developer and Housing Authority
Parking				
Traffic	Inadequate parking	**MM Trans 20:** All forms of development in the project area must meet City on-site parking code requirements and/or shared parking standards to the satisfaction of the Planning Department.	Prior to site plan approval	Planning Department
Traffic	Inadequate parking	**MM Trans 21**: As the project is built out in phases, some parking areas may be shared or off-street parking for one block may be provided on the adjacent block in an interim situation. The downtown Parking Model shall be used to analyze any interim or phased conditions to assure that off- street parking demand is met by the project as a whole throughout all phases of build-out.	Prior to site plan approval	Planning Department
To comply with City standards and reduce all potential impacts to alternative transportation, the following mitigation measures shall be implemented:				
Traffic	With Preferred Project	**MM Trans 22:** The City shall consult with	Location shall be chosen prior to	Planning Department, Omnitrans

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
	Scenario, To comply with City standards and reduce all potential impacts to alternative transportation	Omnitrans to determine the location and type of transit facilities warranted by the proposed project. The location and type(s) of facility(ies) shall be determined prior to approval of site plans for the first phase of the proposed project. The siting of the facility(ies) shall be within the proposed project boundaries or within 500 feet of the edges of the project. The facility(ies) shall be constructed and adequate transit service shall be operating from the facility(ies) at the time of the last certificate of occupancy for residential units within the project.	site plan approvals Construction shall commence prior to issuance of last Certificate of Occupancy.	
Traffic	With Preferred Project Scenario, To comply with City standards and reduce all potential impacts to alternative transportation	**MM Trans 23:** The City should encourage the use of public transportation by providing Omnitrans and Metrolink information at public facilities within the project.	Ongoing	City of Ontario, Omnitrans, Metrolink
Traffic	With Preferred Project Scenario, To comply with City standards and reduce all potential impacts to alternative transportation	**MM Trans 24:** Pedestrian activity and bicycles shall be encouraged within the project site through the provision of sidewalks along all streets, connecting pathways and trails, and bicycle racks near commercial and public buildings and parks.	Prior to site plan approvals	Planning Department
Traffic	With High-Density Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 29:** Modify the intersection of Cherry Avenue/Holt Boulevard to allow Right-in/Right-out turning movements only as planned by the City of Ontario.	Prior to Certificates of Occupancy.	Engineering Department and Developer
Traffic	With High-Density Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 30:** Install Traffic Signal at the intersection of Plum Avenue/Holt Boulevard and include the following geometrics: Northbound: One shared left, through, and right-turn lane. Southbound: One shared left, through, and right-turn lane.	Prior to Certificates of Occupancy.	Engineering Department and Developer

MITIGATION MEASURES REQUIRED FOR J.H. SNYDER DOWNTOWN CIVIC CENTER PROJECT PUD				
Impact Category	**Impact/Issue**	**Mitigation Measures**	**Implementation Timing**	**Responsible Party**
		Eastbound: One left-turn lane. One shared through and right-turn lane. Westbound: One left-turn lane. One shared through and right-turn lane.		
Traffic	With High-Density Project Scenario, to maintain LOS D or better, comply with CMP standards	**MM Trans 31:** Modify the intersection of Lemon Avenue/Holt Boulevard to allow Right-in/Right-out turning movements only as planned by the City of Ontario.	Prior to Certificates of Occupancy.	Engineering Department and Developer
Utilities	Inadequate sewer and/or water pipelines	**MM Util 1:** All water and sewer pipelines within the project boundary that are identified by the City of Ontario Public Works Department at the time of project approval to require replacement and/or parallel lines shall be provided by the project proponent to the satisfaction of the City.	Prior to first Certificate of Occupancy in affected phase of project.	Public Works
Utilities	Inadequate sewer and/or water pipelines	**MM Util 2:** The segment of sewer pipeline in Francis Street that is currently surcharged, and/or other surcharged facilities required by the project, shall be constructed and operational by the time the project is constructed. Therefore, prior to obtaining occupancy permit(s) the project proponent shall be required to either replace/construct or pay their fair share for the surcharged segments as required by the City.	Prior to first Certificate of Occupancy in affected phase of project.	Public Works
Utilities	Impacts to existing utility lines from construction activities	**MM Util 3:** Prior to obtaining grading permit(s), the project proponent shall coordinate with the applicable natural gas, electrical, and telephone utility providers for the project site to ensure that all existing underground and overhead lines are not damaged during project construction.	Prior to grading permits	Public Works
Utilities	To reduce the quantity of energy used and to conserve water resources,	**MM Util 4**: To reduce the quantity of energy used and to conserve water resources, the project developer and City of Ontario should work to include sustainable systems for use of water and energy within the project design.	Prior to development plan approvals	Planning, Engineering, Public Works and Developer

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Daniel P Beers Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Fabiola Contreras Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 7

SUBJECT: A CONSTRUCTION CONTRACT FOR THE ONTARIO MUSEUM OF HISTORY AND ART GALLERY IMPROVEMENTS AND STORAGE

RECOMMENDATION: That the City Council take the following actions:

A. Reject iBuild Spectrum's protest against the Stone Collector for D&C19-009-Ontario Museum of History & Art Gallery Improvements and Storage Project in its entirety;
B. Reject CB Kenner, Inc.'s protest against The Stone Collector for Construction Contract No. D&C19-009 - Ontario Museum of History & Art Gallery Improvements and Storage Project in its entirety;
C. Authorize the City Manager to complete and execute Construction Contract No. D&C19-009 - Ontario Museum of History & Art Gallery Improvements and Storage Project with The Stone Collector of Fullerton, CA for the renovation of the Museum's Built On Water Exhibit, ADA Restroom, Bid Alternative No. 1 - Carlson Exhibit and Bid Alternative No. 2 - Offsite Storage in the amount of $712,600;
D. Authorize a 20% contingency of $142,520 to address any unforeseen issues that may arise during construction; and
E. Authorize the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The construction cost for the Museum Renovation shall not exceed $855,120. The Fiscal Year 2020-21 Adopted Budget includes $1,134,459 appropriated for the museum projects.

BACKGROUND & ANALYSIS: The City of Ontario received a federal grant from the Institute of Museum & Library Services for construction of the Built On Water Exhibit. In preparation for the Built On Water Exhibit, the Museum requires certain renovations, which triggered new Americans with Disabilities Act (ADA) compliance, including a new ADA restroom. The Project also includes conversion of the Carlson Room into a new Children's Workspace/Exhibit room and an additional 2,500 square foot "museum quality" storage facility.

On February 8, 2021, staff began soliciting bids for the Ontario Museum of History and Art Gallery Improvements and Storage Project. On March 8, 2021, staff received four (4) construction bids ranging from $712,600 to $1,534,183 for the project. After review of the bids, it was determined The Stone Collector was the lowest responsible bidder at $712,600.

All the bids received are listed below:

Vendor	**Location**	**Amount**
The Stone Collector	Fullerton, CA	$ 712,600
CB Kenner, Inc.	Lake Forest, CA	$1,101,375
iBuild Spectrum, Inc.	Santa Ana, CA	$1,255,000
Toby B. Hayward, Inc.	Monrovia, CA	$1,534,183

The Stone Collector located in Fullerton, California, submitted the lowest bid that met all the required specifications with a base cost of $712,600. Based on the bid, credentials, pricing and favorable reference checks, staff recommends awarding Construction Contract No. D&C19-009 – Ontario Museum of History & Art Gallery Improvements and Storage to The Stone Collector. Assuming City Council approval, staff anticipates the Ontario Museum of History and Art Gallery Improvements and Storage Project will be completed by Fall of 2021.

On March 11, 2021, CB Kenner, Inc. submitted a protest letter claiming The Stone Collector gained an unfair competitive advantage by not listing a qualified window restoration subcontractor. Based on City Attorney review, staff finds CB Kenner's protest meritless and recommends rejecting it in its entirety.

On March 24, 2021, the City received a protest letter from iBuild Spectrum stating that the two lowest bidders, The Stone Collector and CB Kenner, Inc. did not name the subcontractor for the Fire Sprinkler System. Based on City Attorney review, staff finds iBuild Spectrum's protest meritless and recommends rejecting it in its entirety.

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Prepared By: Courtney Jones Staff Member Presenting: Scott Burton, Utilities General Manager Reviewed By: Dennice Raygoza, Michael Sigsbee, Scott Burton Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 8

SUBJECT: AGREEMENT WITH CUCAMONGA VALLEY WATER DISTRICT AND AGREEMENT WITH TOPGOLF AND THE COUNTY OF SAN BERNARDINO FOR SEWER SERVICE

RECOMMENDATION: That the City Council approve and authorize the City Manager to negotiate and execute two sewer service agreements (on file in the Records Management Department), subject to non-substantive changes, one with Cucamonga Valley Water District (CVWD); and the second with Topgolf USA SBD, LLC. (Topgolf) and the County of San Bernardino (County).

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Operate in a Businesslike Manner
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: Together these agreements provide sewer service to Topgolf via CVWD's sewer facilities at a significantly lower cost to Topgolf than directly connecting to the City's existing sewer facilities. There is no direct cost to the City related to the approval of these agreements, as the cost of public improvements to connect to utilities will be paid for by the developer. The City will charge Topgolf normal monthly utility fees and charges, and the City will pay CVWD for Topgolf's sewer fees and charges on a bi-annual basis. Entering into the sewer service agreements ensures that local sales tax revenue generated by Topgolf will remain in the City of Ontario.

BACKGROUND & ANALYSIS: Topgolf intends to develop and occupy County property within the City's water and sewer service area. CVWD has an existing sewer main in Archibald Avenue adjacent to the County property that Topgolf is leasing. Topgolf is able to connect to CVWD's sewer facilities at a significantly lower cost than building an external sewer line and connecting to the City's existing sewer facilities. CVWD has agreed to permit Topgolf to connect to their sewer facilities for service. To facilitate the sewer connection to Topgolf, the City developed two agreements; one with the City and CVWD and another with the City, Topgolf and the County.

The agreement between the City and CVWD states that CVWD will provide sewer service to Topgolf and the City will preserve its rights to recycled water generated by this property. The City will implement the Pretreatment Program, collect sewer and water fees, and pay CVWD sewer fees on a bi-annual basis. The initial term of this agreement with CVWD is 50 years and automatically renews

unless the City secures a new agreement.

The agreement between the City, Topgolf and the County will allow the City to charge the City's sewer service rates and bill Topgolf on a monthly basis. The agreement between the City, Topgolf, and the County terminates upon the first to occur of the following situations: termination of the lease between County and Topgolf, mutual agreement among all parties, termination by City on thirty (30) days' written notice to County and Topgolf of Topgolf's failure to timely cure defaults outlined in the agreement, or if use of the sewer connection to CVWD is abandoned, which shall be deemed to occur after six (6) months of continuous non-use for the purposes set forth in the agreement. There is no right to transfer the agreement.

The two agreements are moving forward in parallel for signatures from the appropriate governing bodies at CVWD, the County, and Topgolf.

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Prepared By: Michael Birmelin Staff Member Presenting: Scott Burton, Utilities General Manager Reviewed By: Dennice Raygoza, Albert G Gastelum, Michael Sigsbee Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 9

SUBJECT: A RESOLUTION APPROVING THE UPDATE OF THE SEWER SYSTEM MANAGEMENT PLAN

RECOMMENDATION: That the City Council adopt a resolution approving the update of the Sewer System Management Plan (SSMP).

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: Implementation of the State mandates documented in the SSMP are included in the current Sewer Operating Fund budget and rates. There is no impact to the General Fund.

BACKGROUND & ANALYSIS: The City is responsible for operating and maintaining the City's wastewater collection system, which includes 433 miles of sewer pipeline, of which approximately 25% is more than 50 years old.

In 2006, the State Water Resources Control Board adopted mandates requiring the City to develop and implement an SSMP by May 2009 and to update it every five years to reflect current legislation and operational practices. The SSMP was last updated in 2014 making this the third version and describes the activities that the City employs to operate, maintain, and upgrade the wastewater collection system in order to provide reliable service, adequate sewer capacity, and sanitary sewer system overflow prevention practices.

Since its original adoption in 2009, the City has enhanced its management of the sewer system including completion of video inspections to identify trouble spots needing special care during routine sewer cleaning and has replaced approximately 3 miles of deteriorated or deficient sewer main lines.

Changes made to this SSMP include documentation of a new procedural change concerning the City assuming the role as sewer permitting agency for food service establishments (in concurrence with the Inland Empire Utilities Agency), as well as simple updates to phone rosters, organization charts, and references to City documents and standards.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE UPDATE OF THE SEWER SYSTEM MANAGEMENT PLAN (SSMP).

WHEREAS, on May 2, 2006, the State Water Resources Control Board (SWRCB) adopted Water Quality Order No. 2006-0003, which established the Statewide General Waste Discharge Requirements (WDRs) for all publicly owned or operated sanitary sewer systems within the State of California. Water Quality Order No. 2006-0003 was later amended by Water Quality Order Nos. 2008-0002-EXEC and 2013-0058-EXEC; and

WHEREAS, the WDRs require that all federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California; 1) report Sanitary Sewer Overflows (SSOs) to the SWRCB; and 2) develop and implement a Sewer System Management Plan (SSMP); and

WHEREAS, the SSMP is a written document that details how an entity's sewer system is operated, maintained, repaired, and funded. The WDR requires the SSMP to be updated every five (5) years and to be re-certified by the city council when significant updates to the SSMP are made.

WHEREAS, the City Council last approved the SSMP on April 15, 2014 (Resolution No. 2014-032); and

WHEREAS, approval of the SSMP is exempt from California Environmental Quality Act (Public Resources Code §21000 et seq.) (CEQA) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment. (Cal. Code Regs., Tit. 14, §15308). In addition, this action is exempt from CEQA pursuant to Cal. Code Regs., Title 14, §15301 to the extent that it applies to existing sanitary sewer collection systems that constitute “existing facilities” as that term is used in Section 15301, and §15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ontario hereby approves the update of the Sewer System Management Plan, attached to this Resolution as Exhibit A.

LET IT BE FURTHER RESOLVED that the City Manager, or a designee, is hereby authorized and empowered to execute in the name of the City of Ontario all documents necessary to comply with the Statewide General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems (Water Quality Order No. 2006-0003, as amended).

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

Sewer System Management Plan



1425 S. Bon View Avenue
Ontario, CA 91761

April 2021

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Cross Reference to SWRCB Order No. 2006-003

Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

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Cross Reference to SWRCB Order No. 2006-003

Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

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I. Goal

The Sewer System Management Plan (SSMP) is written to comply with the State Water Resources Control Board's Order No. 2006-0003-DWQ (as amended by WQ2008-002-EXEC and WQ2013-0058EXEC), Statewide General Waste Discharge Requirements for Wastewater Collection Agencies (WDR). A SSMP is a document that describes the activities that an agency uses to manage their wastewater collection system effectively. The state describes effective management of a wastewater collection system as including: 1) Maintaining or improving the condition of the collection system infrastructure in order to provide reliable services into the future; 2) Cost-effectively minimizing infiltration/inflow (I/I) and providing adequate sewer capacity to accommodate design flows; and 3) Minimizing the number and impact of sanitary sewer system overflows (SSOs) that occur.

The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system, to reduce and prevent Sanitary Sewer Overflows (SSOs), and to mitigate any SSOs that occur.

The original SSMP was approved by City Council on April 7, 2009. The SSMP must be updated periodically to reflect current information. As a result of an internal audit conducted in March of 2013, the SSMP was previously updated on April 15, 2014, pursuant to Section D.13(x) of the WDR. In addition to periodic internal audits, the SSMP must be updated every 5 years pursuant to Section D.14 of the WDR (by April 15, 2019), and re-certification by City Council is required if significant updates are made to the SSMP; this Update of April 6, 2021 is submitted as a result of an internal audit that was conducted in January 2021.

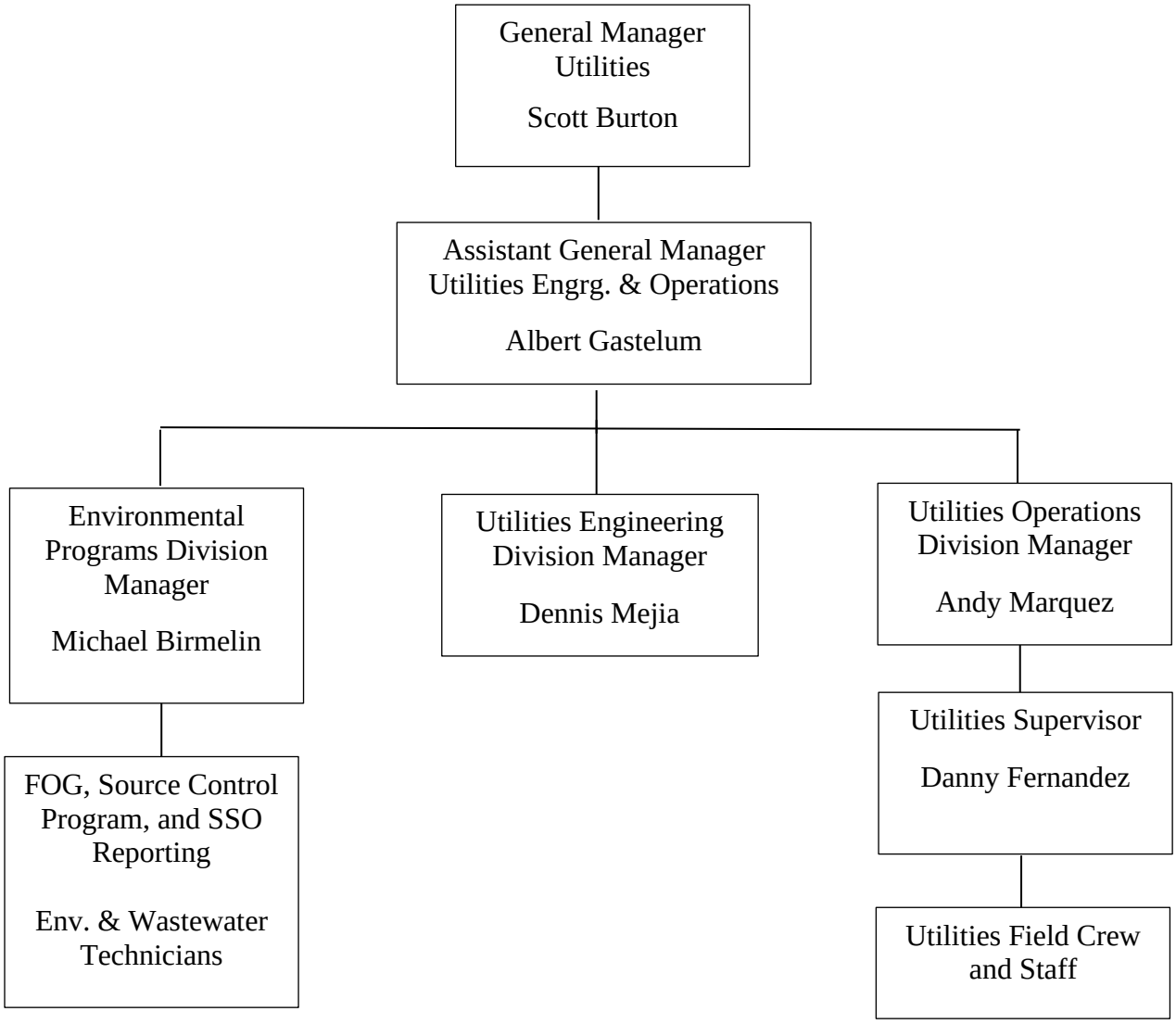
II Organization

The person designated as the Duly Authorized Representative for the City of Ontario, as pertains to Section J of the WDR, is Scott Burton, General Manager of the Ontario Municipal Utilities Company. Names and telephone numbers for other management, administrative, and maintenance personnel responsible for implementing elements of the SSMP are provided in Table 1. A City Organization Chart with only organizations relevant to the SSMP is provided in Figure 1. The chain of communication for reporting SSOs is provided in Table 2.

Table 1 – Organizational Structure

Name	Position	SSMP Responsibilities	Telephone Number
Scott Burton, PE	Utilities General Manager	Duly Authorized Representative	Desk - (909) 395-2682 Mobile - (909) 721-7172
Albert Gastelum, PE	Assistant General Manager -Utilities Engineering and Operations	Legally Responsible Official	Desk - (909) 395-2770 Mobile - (951) 232-7624
Mike Birmelin, CWEA	Manager - Environmental Programs Division	Administers updates to the FOG program, Water Quality Monitoring Plan, and elements of the SSO Emerg. Response Plan	Desk - (909) 395-2661 Mobile - (909) 638-8073
Dennis Mejia, PE	Manager - Utilities Engineering Division	Administers updates to Sewer Master Plan, SSMP, and Capital Improvement Program	Desk - (909) 395- 2609
Andy Marquez, CWEA	Manager - Utilities Operations Division	Administers updates to the SSMP specific to the operation & maintenance of the sewer system	Desk - (909) 395-2683 Mobile - (909) 721-8931

Figure 1: Organization chart reflecting responsible parties for implementation of the SSMP.



The Utilities General Manager is responsible for managing multiple divisions within the Utilities Department, including customer service, integrated waste, utility engineering, water resources (water quality, water production and distribution, recycled water and the backflow program), utility operations (wastewater collection and system operations), pretreatment and source control (industrial wastewater discharge permitting, monitoring, compliance, and enforcement) and for performing infrastructure master planning activities, initiating capital improvement projects, performing water resource functions, establishing policy, planning strategy, leading staff, allocating resources, and delegating other functions as necessary.

The Utilities Assistant General Manager is responsible for providing direction and overseeing the activities, operations, and staff of multiple divisions within the agency, including utility engineering, water resources (water quality, water production and distribution, recycled water and the backflow program), utility operations (wastewater collection and system operations), and pretreatment and source control (industrial wastewater discharge permitting, monitoring, compliance, and enforcement).

The Utility Engineering Division includes all phases of land development project review and approval, infrastructure master planning and an extensive capital improvement program.

The Environmental Programs Division consists of the Pretreatment and Source Control Programs, which includes industrial wastewater pretreatment permitting, sampling & monitoring activities, compliance determination and enforcement, reporting activities, and oversight of the Fats, Oil and Grease (FOG) program. Spill response and some customer billing activities are also part of the division.

The Utilities Operations Division is focused on the installation, maintenance, operation and repair of the City's wastewater collection system. Activities include operating and maintaining line inspection and video equipment, which are utilized for surveying and televising the underground sewer lines in order to identify blockages, damaged lines, and other issues, and ensuring their complete repair.

Table 2 below details the chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Boards and other agencies.

Table 2 – Chain of Communication for Reporting SSOs

Event	Response
Complaint of SSO Received by Customer Service or Police Dispatch.	Obtain information, including: date and time call was received; caller's name, agency, telephone number, and address; location of SSO, including cross-street. Notify appropriate Ontario Utilities Dept. staff by referring to the Mutual Aid Telephone Roster.
Utilities Dept. Receives Notification of SSO from Customer Service or Police Dispatch.	Dispatch collection staff to incident. Implement traffic control. Determine applicable storm water conveyances and other critical areas that must be protected. Contain and clean up the spill. Obtain information needed to complete the SSO Field Report Form found in Appendix E. If spill is outside the City's jurisdiction, contact responsible agency by referring to the Mutual Aid Telephone Roster found in Appendix C. Continue efforts to contain and clean up the spill until responsible agency arrives.
For any Category 1 SSO greater than or equal to 1,000 gallons that results in a discharge to a surface water or spilled in a location where it probably will be discharged to surface water, either directly or by way of a drainage channel or MS4, the enrollee shall, as soon as possible, but not later than two (2) hours after (A) the enrollee has knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures, notify the Cal OES and obtain a notification control number. Category 1 – Spills of any volume that reaches surface water.	**Call Cal OES at: (800) 852-7550** **San Bernardino County Health at (800) 782-4264 or (909) 356-3805**
Sewage spill impacts or threatens state water.	Contact California Department of Fish and Game, (916) 445-0411

Table 2 continued – Chain of Communication for Reporting SSOs

Event	Response
Sewage spill affects a state highway.	Contact the Dept. of Transportation (CALTRANS), (866) 383- 4631 or (909) 383-4631
Sewage spill impacts the storm drain system in San Bernardino County.	Contact San Bernardino County Flood Control District, (909) 899-4366, After hours: (909) 356-3805.
Sewage spill discharges into Prado Basin (via tributary creeks) or the Santa Ana River.	Contact Orange County Water District, (714) 378-3200, Fax: (714) 378-3373.
Sewage spill occurs within their jurisdictional boundaries.	Contact California Highway Patrol, normally contacted by CalEMA at (800) 852-7550

City employees, residents, businesses or members of the general public may detect an overflow, or report suspicious circumstances such as unusual odors, flooding, etc., which could indicate the possibility of an overflow.

During normal business hours, calls received by the City will be routed to the Utilities Department. After business hours, weekends and holidays, calls received by the City's police dispatch will be forwarded to the appropriate on call person. Once the initial report is received by the City, collection staff will be dispatched to the site of the reported incident via telephone or two-way radio.

Upon arriving to respond to a spill, if it is found that the spill originated from outside of the City's jurisdiction, the responsible agency will be contacted. As part of the Mutual Aid Agreement with the surrounding agencies, the City will continue its efforts to contain and clean up the spill until the responsible agency arrives. The Mutual Aid Telephone Roster is used for notification of appropriate personnel and it is updated as needed. A copy of the Mutual Aid Telephone Roster is maintained in each responsible employee’s Spill Response Binder.

Appropriate staff is dispatched to the location to confirm that an overflow has occurred. Once a spill is verified, additional staff and equipment will be dispatched as necessary. Additionally, the City has installed Smart Covers® in areas that historically have been high-frequency maintenance areas. These manhole covers feature sensors that detect high level and/or intrusion of the manhole. If a high level or intrusion is detected, the sensors will send an alarm to City staff. The responsible staff will be dispatched to the location of the manhole.

The City uses Supervisory Control and Data Acquisition (SCADA), and contracts with Mission Communications, LLC for a monitoring system at the lift stations. If a problem is detected by SCADA, staff is notified via a pager.

When a call is received by dispatch personnel to report a lift station overflow, dispatch will notify the responsible maintenance staff to respond to the incident. Once the lift station overflow is confirmed, corrective actions are initiated which may include requesting additional city staff, utilizing mutual aid and/or contractors, depending on the magnitude of the incident.

Public Works Agency personnel or Police Department personnel obtain and record all relevant information available regarding the overflow on the SSO Field Report Form found in Attachment A & C of each responsible party's Spill Response Binder.

Every effort is made to ensure that all reported spills are responded to within the first hour of notification of the spill.

The City is required to report Category l spills to the California Office of Emergency Services State Warning Center (Cal OES), at (800) 852-7550 within two hours, and Cal OES notifies the Regional Water Quality Control Boards and local Health Departments when a spill notification is received. In order to ensure timely notification to the County, the City will also notify the San Bernardino County Health Department of the Category 1 spill. The City is required to update Cal OES whenever there are substantial changes to previously reported spill volume estimates or impacts.

Table 3 below lists the City's notification, reporting, monitoring, and record keeping requirements in greater detail.

Table 3 – Notification, Reporting, Monitoring, and Record Keeping Requirements

Element	Requirement	Method
Notification (See section B of the State Water Resources Control Board Order No. WQ 2013-0058-Exec)	Within two hours of becoming aware of any Category 1 SSO greater than or equal to 1,000 gallons discharged to surface water or spilled in a location where it probably will be discharged to surface water, notify the California Office of Emergency Services (Cal OES) and obtain a notification control number.	**Call Cal OES at**: (800) 852-7550
Reporting (See section C of the State Water Resources Control Board Order No. WQ 2013-0058-Exec)	1. Category 1 SSO: Submit draft report within three business days of becoming aware of the SSO and certify within 15 calendar days of SSO end date. 2. Category 2 SSO: Submit draft report within 3 business days of becoming aware of the SSO and certify within 15 calendar days of the SSO end date. 3. Category 3 SSO: Submit certified report within 30 calendar days of the end of month in which the SSO occurred. 4. SSO Technical Report: Submit within 45 calendar days after the end date of any Category 1 SSO in which 50,000 gallons or greater are spilled to surface waters. 5. "No Spill" Certification: Certify that no SSOs occurred within 30 calendar days of the end of the month or, if reporting quarterly, the quarter in which no SSOs occurred. 6. Collection System Questionnaire: Update and certify every 12 months.	Enter data into the CIWQS Online SSO Database **(http://ciwqs.waterboards.ca.gov/)**, certified by enrollee's Legally Responsible Official(s).

Table 3 – Notification, Reporting, Monitoring, and Record Keeping Requirements

Element	Requirement	Method
Water Quality Monitoring (see section D of the State Water Resources Control Board Order No. WQ 2013-0058-Exec)	Conduct water quality sampling within 48 hours after initial SSO notification for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.	Water quality results are required to be uploaded into CIWQS for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.
Record Keeping (see section E of the State Water Resources Control Board Order No. WQ 2013-0058-Exec)	1. SSO event records. 2. Records documenting Sanitary Sewer Management Plan (SSMP) implementation and changes/updates to the SSMP. 3. Records to document Water Quality Monitoring for SSOs of 50,000 gallons or greater spilled to surface waters. 4. Collection system telemetry records if relied upon to document and/or estimate SSO Volume.	Self-maintained records shall be available during inspections or upon request.

III Legal Authority

According to WDR Section D.13(iii), the City must demonstrate (in the SSMP), through collection system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to prevent illicit discharges into its wastewater collection system (examples may include infiltration and inflow (1/1), storm water, chemical dumping, unauthorized debris and cut roots, etc.); require that sewers and connections be properly designed and constructed; ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency; limit the discharge of fats, oils, and grease and other debris that may cause blockages, and enforce any violation of its sewer ordinances.

In Table 4 below, WDR legal authority requirements are cross-referenced with sections of the Ontario Municipal Code which provide corresponding legal authority. City of Ontario Municipal Sewer Ordinance is provided in Appendix B. The Ordinance is expected to undergo an update in 2021. Additionally, the City's Engineering Department provides guidance and standard drawings depicting the City’s requirements for the construction of infrastructure, including sewers and sewer connections. Water and Sewer Pipeline Construction Specifications are provided in Appendix F, Water and Sewer Design Development Guidelines and Specifications are provided in Appendix G, and Standard Drawings are provided in Appendix H.

Table 4 – Legal Authority

WDR	Legal Authority	Section of Ontario Municipal Code Providing Legal Authority
D.13.(iii)(a)	Prevent illicit discharges into wastewater collection system.	Title 6, Chapter 7, Article 2, Sections 6-7.201- 208; Prohibitions and Discharge Limits.
D.13.(iii) (b)	Require that sewers and connections be properly designed and constructed.	Title 6, Chapter 7, Article 4, Sections 6-7.401-405; Facilities
D.13.(iii) (c)	Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency.	Title 6, Chapter 7, Article 5, Section 6-7.513 Inspection/right-of-entry
0 .13.(iii) (d)	Limit the discharge of fats, oils, and grease and other debris that may cause blockages.	Title 6, Chapter 7, Article 2, Sections 6-7.201- 208; Prohibitions and Discharge Limits.
D.13.(iii) (e)	Enforce any violation of its sewer ordinances.	Title 6, Chapter 7, Article 6, 6-7.601 - 622; Enforcement.

IV Operation and Maintenance Program

This section summarizes the City of Ontario's current procedures and practices pertaining to operation and maintenance (O&M) activities and provides recommendations to enhance compliance with the WDR. Specifically, this section contains a comprehensive evaluation of elements affecting the operation and maintenance of the wastewater collection system, including system inventory and mapping, the work order process, inspection and assessment of the system including objective standards, CIP project identification process, preventive maintenance procedures, repair and rehabilitation procedures, training programs, and staffing requirements recommended to develop and implement an effective and efficient program for the long term maintenance of the wastewater collection system.

The Ontario Municipal Utility Company is responsible for the operation and maintenance of an extensive wastewater collection system and is tasked with ensuring proper and efficient operation of the system. Ontario's service area is located within the city limits. There is a portion of the city in the northeast that is serviced by Cucamonga Valley Water District (CVWD). The City serves a population of over 176,000 people in a 50 square mile service district which generates an estimated 10.3 MGD (million gallons per day) of sewage. Approximately 75 percent of the City is developed, with mixed residential, commercial and industrial land use areas. The City's wastewater collection system consists of approximately 425 miles of gravity lines, 8,693 associated manholes and cleanouts, three city-owned lift stations, one privately owned/city-maintained lift station, over 7,000 feet of associated force mains, and five siphons. The system is divided into seven service areas, also referred to as sewer sheds, primarily based on the outlet points where the City's system

ties into a downstream facility operated by the Inland Empire Utilities Agency (IEUA). The sewers are primarily constructed of vitrified clay pipe with sizes ranging from 4-inches to 42-inches in diameter. Approximately 75 percent of the pipes are 8-inches in diameter. The City's sewers are classified into two groups: primary sewers, greater than 15 inches in diameter, and secondary sewers, 15 inches or smaller in diameter. The City is also responsible for the lower portion of the property laterals (commonly referred to as the lower lateral), the portion of lateral that is within the city's right-of-way, which is approximately 204 miles of primarily 4-inch vitrified clay pipe.

The first of the three city owned lift stations (Magnolia) is small and services a residential neighborhood in the southwestern portion of the city. The second one is a large lift station (Haven) that services a commercial/industrial area in the central eastern portion of the city. The third one is a small lift station (Inland Empire) that services a small commercial/residential area on the north east portion of the city. The privately owned/City maintained lift station (Edenglen) is small and services a residential neighborhood in the southeastern portion of the city. The five siphons were constructed to go under major flood control channels or a conflicting utility.

The City of Ontario is dedicated to improving the condition and performance of its wastewater collection system and reducing the number of SSOs. Development and implementation of a wastewater collection system operations and maintenance program serves to ensure that the wastewater collection system is routinely and properly maintained in a manner that minimizes failures and extends the longevity of the system.

A. Purpose of the Operations and Maintenance Program

Establishment and documentation of a comprehensive program provides the specific details of the activities and procedures that personnel follow to implement the program. A well planned, documented, and executed Operations and Maintenance (O&M) program can provide the optimum level of maintenance activities for the least total maintenance cost. At a minimum, the following components should be included in an O&M program:

1. Inventory and Mapping of the Wastewater Collection System Assets
2. Preventive Maintenance Program
3. Sanitary Sewer Overflow Emergency Response Plan (SSOERP)
4. Fats, Oils, and Grease Reduction and Management Program
5. Wastewater System Inspection and Assessment Program
6. Capital Improvement Program (CIP) Project Identification
7. Computerized Maintenance Management System (CMMS)
8. Equipment and Replacement Part Inventories
9. Training Program
10. Staffing Requirements and Recommendations

B. Map of Sanitary Sewer System

A comprehensive set of sewer maps (also referred to as Atlas Books) show all the features of the City's sanitary sewer systems along with other agencies' systems and some private systems within the City's service area. Information included on these maps include unique identification numbers, locations referencing streets and property lines, easements, pipe sizes and shapes, direction of flow, length and material of manholes, pipes, force mains, lift stations, valves, and storm water facilities. The last edition of the sewer maps were printed in 2020. A condensed Sewer System Map is provided in Appendix J.

The maps are routinely updated to include new and rehabilitated sewers. Maps are updated with information provided by developers, contractors, and City employees. Information is routinely gathered when new facilities are being constructed, during routine cleaning and inspections of the sewer system, and when emergency work is performed. Changes and edits are collected in a "red-line" edition and updated periodically in printed maps. The wastewater collection crews also carry a map of the storm drain system in case a sewer overflow enters a storm drain. This allows crews to quickly locate where flows are directed and take immediate mitigation actions.

The system maps are part of the City's Geographic Information System (GIS), which is a collection of electronic files that can be used to graphically view and analyze data. GIS maps of the entire sanitary sewer systems and other informational layers are available to be used in system management, work prioritization, and management decisions. GIS information can be utilized in the office or in the field for locating and verifying pipelines, maintenance holes, service connections, and other features of the City's systems. The histories of pipe segments are included in the GIS system and line segments are linked to record drawings. Areas of recurring SSOs are also identified in the GIS system.

The City's GIS system is used for both long- and short-term planning. Short-term uses include scheduling work crews, cleaning, maintenance, and closed-circuit television (CCTV) inspections. Mid-term uses include scheduling the purchase of equipment, vehicles, and manhole covers, and planning for sufficient staffing to properly maintain and operate the sewer system. Long-term planning can include estimating repair, maintenance and replacement costs over the life span of the sewer system, allowing the City to procure CIP funds over time to adequately invest in the sewer system.

Sewer modeling is another component of GIS. Using a model developed for the City, sewer flows can be analyzed to determine capacity and related deficiencies. GIS based models can also provide a variety of sewer scenarios. This includes simulation of line breaks and flows utilizing varying pipe diameters. Sewer sheds may be determined by using GIS to identify locations where City sewer flows enter into a downstream facility operated by IEUA.

The City of Ontario has integrated GIS mapping and Cityworks® software. The City intends to use the integrated software to facilitate management of City facilities.

C. Preventive Maintenance

The City has a preventive maintenance program for its sanitary sewer system. The objective of the City's sewer cleaning and maintenance program is to minimize the number of stoppages per mile of sewer, minimize the number of odor complaints, and minimize the number of lift station failures. Sewer segments are identified, prioritized, and scheduled for maintenance based on comprehensive reviews of the maintenance history and system characteristics of all the sewers in the City, including overflows, blockages, excessive maintenance, age, material, and condition. Prioritization of preventive maintenance activities is based on reports and video received. Some segments requiring immediate maintenance are discovered during the condition assessment process. Generally, cleaning is recommended to occur from the upstream manhole to the downstream manhole, since the flow in the pipe can assist moving debris downstream.

D. Descriptions of Cleaning Methods Available

Common cleaning methods include jetting, mechanical rodding, and manual or mechanical digging. The method employed is usually determined in advance and is typically contingent upon the pipe type and size and on the conditions expected in the pipe. Although the commonly used cleaning methods have proven effective in maintaining sewer systems, there are limitations to several of the cleaning methods used. Table 5 below provides a summary of the limitations of several cleaning methods.

Table 5 - Common sewer Cleaning Methods*

Cleaning Method		Limitations
Mechanical	Rodding	Continuous rods are harder to retrieve and repair if broken, and they are not useful in lines with a diameter greater than 12 inches because the rods have a tendency to coil and bend. This device also does not effectively remove sand or grit but may loosen the material to be flushed out at a later time.
	Bucketing (Winching, Dragging)	This device has been known to damage sewers. The bucket machine cannot be used when the line is completely plugged because this prevents the cable from being threaded from one manhole to the next. Set-up of this equipment is time-consuming.
Hydraulic	Balling and Jetting	In general, these methods are only successful when necessary water pressure or head is maintained without flooding basements or houses at low elevations. Jetting -The main limitation of this technique is that caution needs to be used in areas with basement fixtures and in steep- grade hill areas. Balling - Balling cannot be used effectively in pipes with bad offset joints or protruding service connections because the ball can become distorted.
	Flushing	This method is not very effective in removing heavy solids. Flushing achieves temporary movement of debris from one section to another in the system.
	High Velocity Cleaner	The efficiency and effectiveness of removing debris by this method decreases as the cross-sectional areas of the pipe increase. Backups into residences have been known to occur when this method has been used by inexperienced operators. Even experienced operators require extra time to clear pipes of roots and grease.
	Kites, Bags, and Poly	When using this method, use caution in locations with basement fixtures and steep-grade hill areas.

*United States Environmental Protection Agency (Sept. 1999). Collection Systems O&M Fact Sheet - Sewer Cleaning and Inspection. (EPA 832-F-99-031).

The City implements a proactive maintenance program in which "non-problem" sewers are also scheduled for maintenance and cleaning, but on a less frequent basis. The City's proactive maintenance program provides cleaning and maintenance of the "non-problem" sewers at least once every 1.2 years. Maintenance of sewers is performed based on a grid system.

High-frequency maintenance areas are prone to accumulate debris such as sand, silt, grease, roots and rocks. If debris is allowed to accumulate, it reduces the capacity of the pipe and a blockage can eventually occur resulting in overflows from the system into streets, yards, and storm channels. Roots and corrosion can also cause physical damage to sewers. High-frequency maintenance areas are regularly monitored and maintained on a monthly and quarterly schedule. There are ten level monitoring and intrusion devices, called SmartCovers®,

located upstream of high-frequency maintenance areas to alert City staff of a surcharge in the manhole and avoid a potential overflow. Once a designated level is reached or the cover is opened, the system alarm is activated sending an alarm to City staff via pager and text message. SmartCover® locations are provided in Appendix K.

The Ontario Municipal Utility Company does periodic system cleaning, ground surface inspection of rights of way and easements, condition assessment, rehabilitation tasks, and odor investigation. A committed staff annually cleans 85 percent of the sanitary sewer system with high velocity sewer cleaning and inspects maintenance holes associated with the cleaning procedure. Each sewer shed within the collection system is scheduled for cleaning using a grid system. Each grid is set up with sequencing to ensure a proper cleaning pattern to a specific location. Maintenance is documented and entered into the database for each line that is cleaned.

Sewer inspection includes closed-circuit television (CCTV) inspection and condition assessment of the collection system using the National Association of Sewer Companies' (NASCO's) Pipeline Assessment Certification Program (PACP), ground surface inspection of rights of way and easements, and odor monitoring. The City contracted with a private company to do an initial visual CCTV inspection of the system over a period of four years and has since completed the initial inspection of all City sewer mains. City staff continues to be responsible for condition assessment, including the review of the inspection data, and the development of maintenance, rehabilitation, and replacement projects. Following the completion of the initial CCTV inspection program, the City has implemented a continuing inspection program based upon the knowledge gained from the initial program. Additionally, each spill site must be CCTV inspected to pinpoint the cause of the spill and to implement corrective measures to prevent repeat spills.

CCTV inspection records are reviewed to identify deficiencies. Sewers that exhibit high flow levels or operational failure are identified. These may trigger further reviews to determine the cause and/or immediate or accelerated corrective actions. Priorities and schedules are set based on the severity of the problem. All problem sewers are inspected as soon as possible, usually within 48 hours after the initial occurrence of an overflow, using CCTV to identify any necessary repairs or special maintenance needs.

Within the City boundaries there are "blind" areas where an SSO could go unnoticed for long periods of time. These areas include easements and alleyways. Most "blind" spots are located in residential areas, with some easements located within the backyards of residential properties. Local residents are usually the first to notice an overflow from these types of easements and call the City or a plumber for assistance. Occasionally the resident will not notice the spill. In this case the flow may continue until a neighbor or the public right of way is affected. Preventive maintenance occurs regularly within easements and alleys to prevent sewer overflows.

A critical area in the City is located in south-central Ontario at the Ely Basins. The Ely Basins provide an area for groundwater recharge from stormwater and tertiary treated recycled water. Water is allowed to pond within the basin for optimal percolation rates. A variety of wildlife, particularly birds, utilize the basin water and habitat. Wastewater collection pipes run to the north of the basins and south on Vineyard Avenue. An 8-inch line and a 21-inch line run under the structure that connects the basins through an inverted siphon under pressure with an air lift line. A spill in this area and/or the nearby drainage area that feeds stormwater into the basins could have serious effects on the basins and the surrounding habitat depending on the location of the break and the size of the spill. City staff has been trained in responding to SSOs.

The City has upgraded its lift stations and equipped them with state-of-the-art controls, emergency backups, and redundancy systems. The Ontario Municipal Services Center serves as the main center for monitoring. This has eliminated overflows caused by power outages and mechanical failure. Pump run times are routinely monitored and used in scheduling routine maintenance. The maintenance program includes preventive, proactive, predictive, and corrective maintenance; maintenance engineering; and quality control. As a part of the routine preventive maintenance program, Collections System Maintenance Division staff conducts scheduled preventive maintenance of pumps and related accessories on a monthly basis. A crew spends between 30 minutes to 2 hours at a station for every scheduled preventive maintenance visit. Each station is inspected approximately 250 times per year by staff.

In a determined effort to reach the City's goal to have no preventable dry weather overflows and wet weather overflows during only the most severe storm events, the Ontario Municipal Utility Company has considered policies pertaining to the prevention of, and response to construction contract-related sewage spills. The policies considered clearly state the responsibilities of each person in prevention, spill response, reporting, public information dissemination, and follow up. This would require coordination among the staff in pre-design reviews to determine appropriate means for preventing sewage overflows and to determine appropriate sewage flow control requirements during construction to be included in the design, bid and contract documents. It would further require that flow control requirements be explained to potential bidders at the pre-bid meeting.

A map of all sewer construction projects is continuously updated by the Ontario Municipal Utility Company. Contact information for each ongoing construction project, including the names and telephone or pager numbers of the inspector, the inspector's supervisor and contractor's contact person, is prepared and forwarded to the Ontario Municipal Utility Company for staff information and use. The Ontario Municipal Utility Company has a special liaison with City inspectors to communicate spill prevention and response information to contractors working within City limits.

City inspectors are responsible for communicating the City's "no-spills" information and project plans and specifications to the contractor, enforcing the plans and specifications, and ensuring the contractor responds appropriately in case of emergencies. The construction contractor is required to provide a bypass plan prior to commencing work. Collections staff and a City inspector are present onsite during sewage bypasses.

In addition to the City's routine maintenance activities including mechanical root removal, the City started a program in 2008 to control the growth of roots in sewers through the use of environmentally safe chemicals. The effectiveness of chemical root control treatment is carefully monitored, and the frequency of treatment and application rates adjusted as required to eliminate blockages caused by roots.

Overflows caused by blockages from fats, oils, and grease (FOG) are monitored for location and needed cleaning frequency. The City has increased the rotation of cleaning in sewers with repeated FOG-related blockages or overflows. Collection Staff forward information on areas with FOG concerns to Environmental Programs staff for additional follow-up activities. Environmental Programs staff activities include inspecting and permitting of oil/grease interceptors at restaurants and food processing facilities to determine compliance, issuing Notices of Violation if necessary, and conducting follow-up inspections. Additionally, staff provides new restaurants, other businesses, and residents with informational brochures in English and Spanish regarding Best Management Practices (BMPs) that can help to prevent fats, oils, and grease from entering the sewer.

Widespread odor and corrosion issues are not common in Ontario. Sporadic odor complaints are received from various unrelated areas within the City. Upon investigation, most odor issues are found to be related to storm drains and catch basins requiring cleaning. Storm drain maintenance requests are forwarded to the City's Parks and Maintenance Department.

Scheduled and completed tasks are tracked by work orders in a maintenance management system. The City currently utilizes Cityworks® software to manage work orders and service requests. Information on lateral inspections, line locations, sewer connection verification, CCTV activities, lift stations, and maintenance holes is stored within Cityworks®. Cityworks® can store and retrieve work history by site address or maintenance hole number. Information on length of line cleaning, the most recent root treatment date, CCTV information photos and text can all be recalled using Cityworks®. The system can also be utilized to schedule work in the future. The work management system is constantly being reviewed to determine if modifications can make the system more efficient or comprehensive. Currently the system does not store information on linear footage cleaned per day. The system will be updated to address this deficiency.

Customer complaints are reviewed and addressed with the utmost urgency. During normal business hours customer calls can come through a variety of sources. Staff is aware that calls regarding sewer odors, overflows or general collections should be forwarded to the wastewater supervisor or manager. Once the nature of the call is determined, the request is prioritized and addressed. Based on the urgency of the required work, calls can be responded to within one to two days. Once the source of the customer complaint is identified and rectified the customer is contacted to let them know their request was completed. All customer complaints are documented in Cityworks®.

Records are created, updated, and stored on an ongoing basis. There are several methods to collect information on the condition and maintenance of the collection system. Electronic records include work orders, service requests, inspection reports, customer complaints, CCTV videos, photos, GIS information, the Collection System Cleaning Database, and the Sewer Master Plan. Additional records include line cleaning forms, daily work reports and quarterly cleaning information. Records are organized and stored to allow for easy retrieval by staff.

E. Sewer Rehabilitation and Replacement Program

The City has a Sewer Rehabilitation and Replacement Program (Rehab Program), in which structural deficiencies are identified and needed improvements are developed and implemented systematically. The Rehab Program was completed in June 2006 and plays an integral part in documenting the City's legal/regulatory compliance and the overall activities aimed at reducing overflows and protecting public health and the environment. The Rehab Program provides a summary of current project mileage and forecasted mileage for future projects. Rehab Program implementation entails a variety of short- and long-term activities that ensure the sustainability of the sanitary sewer system infrastructure.

All sewers are inspected using CCTV. In addition to the CCTV Program, the City implemented a program to visually inspect and document the condition of each of the approximately 8,693 maintenance manholes in the City's 425-mile system which includes 25 miles of pipeline inspected yearly with a goal of completing the system within a 8 year period. CCTV inspections together with routine flow gauging and physical inspections provide up-to-date information that is used by the City to evaluate the hydraulic and structural condition of its sanitary sewer system. From this assessment, deficiencies are identified and evaluated, and improvement projects are identified and scheduled. Inspection and maintenance of sewers may be contracted to private contractors at the City's discretion.

Information obtained from inspections is used to identify rehabilitation needs. To categorize the condition of inspected sewers, the City uses a five-category rating system based on the type and severity of defects. The categories range from Category 1 (excellent) to Category 5 (emergency condition). Condition ratings trigger follow-up actions that include either

rehabilitation within a certain time frame, or a follow-up inspection. Rehabilitation projects are developed and scheduled for implementation on a prioritized basis. Category 1 and 2 sewers are in excellent to good condition and are scheduled for continued inspections and monitoring. Category 3 sewers are in fair condition and are scheduled for follow-up inspections every five years until repairs have been completed. Category 4 sewers are in a condition that requires close monitoring and may require rehabilitation within five years, and are included in the CIP program for planning, design and construction. Preventive measures are intensified, as appropriate, to avoid emergency situations and follow-up inspections are conducted annually. Category 5 sewers are considered in emergency condition. These are sewers where a pipe failure has already occurred, or there is a full flow obstruction/blockage and immediate repairs are initiated. Follow-up inspections are conducted at overflow locations, usually within 48 hours of overflow occurrence, to identify the extent of necessary repairs or any special maintenance needs.

Individual Capacity Replacement Projects are identified by the current Sewer Master Plan Update and described in the Capital Improvement Program (CIP) section of the document. From the Master Plan CIP, the Sewer Rehabilitation and Replacement Program, and the Bi-annual Rate Study, an annual CIP Budget is prepared annually.

F. Training

Training occurs under various City programs, including formal classroom training, informal on the-job training, and hands-on training. Training is facilitated by City staff and by outside training workshops. Most of the internal functional and safety training is provided through the Collections Division and the Utilities Department. Training courses are added, and existing courses are modified to stay current with the rapidly changing technology and requirements, including computer-aided and online training. On-the-job cross training is actively pursued to ensure staff has a proficient working knowledge of each and every specific part of a task. City staff is cross-trained so that critical tasks can be done without interruption even when crew members change. Task proficiency is a requirement for all job positions and promotions, and training records are maintained to monitor class completion and schedule employee training. Training records are maintained in a training and safety database.

Crews are initially trained in the proper operation and maintenance of all new major mobile equipment and facilities by the contractor/manufacturer. Written operation and maintenance manuals are used as resource material for initial start-up training as well as new staff training. Utilities staff is responsible for providing operational training on sewer cleaning equipment. Safety training is an integral part of the City’s program. Each staff member receives formal safety training. Staff members are trained in confined space entry and hazardous materials management, as required by regulations.

The Ontario Municipal Utilities Company prepares employees to respond to major emergencies and disasters and has established an operation center and emergency response teams. Emergency training exercises are conducted and documented annually.

The City identifies training needs for staff development in its annual budget and provides adequate funding for tuition reimbursement. The City also maintains a library of self-improvement training courses and encourages and rewards self-training.

G. Equipment and Replacement Parts

The City maintains equipment such as sump pumps, portable generators, traffic control, and night lighting systems, in a ready state for immediate deployment in an emergency. Redundancy is provided for key lift station equipment. The City also maintains an inventory of replacement parts and supplies and follows a structured process to maintain a current electronic inventory. Parts needed for preventive maintenance tasks are identified and secured prior to the start of each task. The City has a procedure for pre-qualifying manufactures and equipment vendors and, in some cases, purchasing sole-source equipment to standardize equipment and parts. This additional procurement option reduces inventories, simplifies procurement procedures, and reduces training and O&M costs. As a backup, managers have credit authority to purchase needed materials and supplies from local vendors of non-stock items when critically needed.

V. Design and Performance Provisions

A. Design and Construction Standards

The design and construction standards and specifications for the installation of new sanitary sewer systems are provided in Appendix F, G, and H. Certain components of new sewer systems, including lift stations, are custom designed by qualified engineers in order to accommodate site-specific conditions and applications.

B. Inspecting/Testing New or Rehabilitated Sewer System Components

The City's Water and Pipeline Construction Specifications include inspection/testing requirements applicable to new or rehabilitated sewer system components. Inspecting/testing requirements include, but are not limited to, soil compaction tests, geotechnical testing, tests for leakage, and video inspection (CCTV). The City's Water and Pipeline Construction Specifications are provided in Appendix F.

VI. Overflow Emergency Response Plan

The Overflow Response Procedure presents a strategy for the City of Ontario to mobilize labor, materials, tools and equipment to correct or repair conditions that cause or contribute to an unauthorized discharge.

The City of Ontario's Sanitary Sewer Overflow Emergency Response Plan (SSOERP) is designed to ensure that every report of a sanitary sewer overflow (SSO) is dispatched to the appropriate response personnel so that the effects of the overflow can be minimized with respect to its adverse impacts on public health, the environment, and property. The source of the SSO shall be stopped and the spill contained as soon as possible. Notification and reporting to governmental agencies, affected residents and property owners shall be done in an appropriate time frame. All state and local regulations shall be observed and implemented in response and remediation procedures.

The Ontario Municipal Utilities Company has developed the Overflow Emergency Response Plan as a separate stand-alone document and is included as Appendix M.

A. Notification to Primary Responders

Proper notification procedures, so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner are discussed in Section 6 of the Overflow Emergency Response Plan in Appendix M.

B. SSO Response

Overflows may occur at locations in the collection system and/or at lift stations. Each of these types of overflows will be responded to differently by the City according to the type and location of the overflow. Proper response procedures are covered in Section 7 of the Overflow Emergency Response Plan in Appendix M.

C. Notification to Regulatory Agencies

Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities of all SSOs that potentially affect public health or reach the waters of the State are discussed in Section 6 of the Overflow Emergency Response Plan in Appendix M.

D. Emergency Response Training

All City of Ontario Municipal Utilities Company field staff has been properly trained in spill containment procedures for responding to SSOs. Emergency Response Training Measures are discussed in Section 9 of the Overflow Emergency Response Plan in Appendix M.

E. Traffic and Crowd Control

Procedures to address emergency operations, such as traffic and crowd control, and other necessary response activities are discussed in Section 7 of the Overflow Emergency Response Plan in Appendix M.

F. Prevention and Mitigation of Environmental Damage

A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to the waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge are discussed in Sections 7 and 8 of the Overflow Emergency Response Plan in Appendix M.

VII. FOG Source Control Program

A Fats, Oil and Grease (FOG) Source Control Program has been developed and implemented by the City of Ontario, in order to reduce the amount of oil and grease that is discharged into the community sewer system.

A. Implementation of Public Education Program Promoting the Proper Disposal of FOG

The City has identified the appropriate methods to educate FSE operators and the public at large. These activities involve participation in public events that are sponsored by the City and/or that take the form of online outreach, and circulation of education materials to the effected customers. Education outreach is also performed during site visits.

B. Plan and Schedule for Disposal of FOG Generated in the Sanitary Sewer System Service Area

FOG is collected as needed and lawfully disposed of by both Ontario's industrial users and City operations staff.

C. Legal Authority

The City has the legal authority to prohibit discharges to the sewer system and has identified measures to prevent SSOs and blockages that are caused by FOG through use of its Ordinance

1. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.201(h) prohibits the discharge of any solid or viscous materials which could cause

obstruction to the flow in the sewer system or cause interference with the operation of the POTW.

2. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.507 allows for the City to require reports for self-monitoring of wastewater constituents and characteristics of the discharger needed for determining compliance with any limitation, or requirements as specified in the user's permit, Federal regulations, or this section of the Ordinance.

3. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.511 allows for the City to require each user to retain records on-site for all waste and wastewater generated, operation and maintenance logs for pretreatment systems, and industrial wastewater monitoring results for a minimum period of five (5) years. Said records shall be made available for inspection and copying by the City at any time. During the course of litigation regarding the user, the City of Ontario, or IEUA, the period of retention shall be extended until the subject of litigation is resolved.

4. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.303 allows for the City to require permit conditions as deemed appropriate by the City to ensure compliance with its Ordinance.

5. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.607 allows for the City to issue a Cease and Desist Order to a user to cease and desist all discharge violations, to comply immediately with all discharge requirements and to take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened discharge violation, including halting operations and terminating the discharge.

D. Requirements to Install Grease Removal Devices

1. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.404(a) requires any food service establishment (FSE) discharging grease wastes which, under the conditions existing in the downstream sewers, could cause or threaten to cause stoppage or grease accumulations, to install an approved grease and oil interceptor and regularly maintain it so as to prevent excessive discharges of grease and oil into the sewerage system.

2. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.404(d) requires the design plans for any required interceptor not included in the Plumbing Code or City standard drawings to be prepared and signed by an engineer registered in the State of California and to meet the drawing submittal requirements

set forth in § 6-7.401. Such plans shall be reviewed and must be approved by the City prior to any construction of said device.

E. Authority to Inspect Grease Producing Facilities, and Sufficient Staff to Inspect and Enforce the Fog Ordinance

1. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.513 allows for the City to inspect the premises where wastewater is created, conveyed, treated, or discharged, and to sample, perform monitoring, review or copy records, photograph, video tape, or record during all times that the discharger's facility is open, operating, or any other reasonable time. No user is permitted to interfere with, delay, resist or refuse entrance to authorized City or IEUA personnel attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the City's sewerage system.

2. The City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7 Section 6-7.501(c) allows for the City to perform routine monitoring and sampling at the City-approved monitoring facility, and during a period of normal business operations and wastewater flows of the user. The City has enough staff to perform such monitoring.

F. Identification of Sanitary Sewer System Sections Subject to FOG Blockages and Establish Cleaning Maintenance Schedule for Each Section

The FOG Source Control Program has mapped and identified the areas of high threat from FOG sources to the sewer collection system. However, this will be ongoing as new businesses relocate to the Ontario area.

G. Development and Implementation of Source Control Measures

Shown below in Table 6 are the Ordinance Provisions that form the framework for developing the Fats, Oil and Grease (FOG) Source Control Measures.

Table 6 – Ordinance Provisions for Establishing the FOG Program

Authority Levels	Ordinance Provisions	Reason
Water Quality	Prohibit discharges exceeding a maximum FOG concentration	Desirable limit or standard for the FSEs to achieve. There currently is no technical basis for a FOG limit intended to protect a collection system. However, IEUA has imposed sewage quality standards at the point of connection to the Regional Sewer System that could serve as a basis for limiting high strength and high volume discharges. No limitations are currently set, but member Agencies and IEUA are in current talks regarding this topic.
Source Controls	Kitchen BMPs (mandatory)	Mechanism to control FOG discharges to the sanitary sewer in addition to installation of a grease control device.
Equipment Requirements	New FSEs or existing FSEs causing SSOs or in violation of the Public Sewer System Ordinance must install, operate, and maintain grease control equipment.	Ensures installation and maintenance of FOG control device at food service establishments.
	Approval of the type of grease control equipment to be installed.	Allows the City to ensure that inappropriate equipment is not installed at an individual site.
	Approval of size and location of grease control equipment.	Ensures that the equipment is sized properly and located where cleaning and inspections can easily take place.
Facility Access/ Inspections	"Right-to-Enter" the facility must be guaranteed for municipal agency inspectors.	Ensures that the City can inspect the facility
	Pre-determined inspection frequency and notification procedures.	Informs the FSE operators of the planned inspection schedule.
Control Mechanism	Mandatory participation for all FSEs in the FOG Control Program.	Ensures that all FSEs are aware of the FOG Control Program's requirements and are held accountable for compliance.

Table 6 continued – Ordinance Provisions for Establishing the FOG Program

Authority Levels	Ordinance Provisions	Reason
Enforcement	An approved Enforcement Response Plan has already been developed in response to non-compliance.	Notifies the FSEs that the FOG Source Control Program is important and compulsory.
Equipment Maintenance Program	Maintenance requirements established for FOG control equipment (regular inspections and cleaning).	Ensures proper functioning of the FOG control equipment.
	Maintain records of all visual inspections and cleanouts, keep records for a minimum of three years and make records available to inspectors upon request.	Allows the City access to all maintenance records to verify proper operation.
	Prohibit discharge and use of chemical or biological agents that could be used to emulsify FOG.	Prevents discharge of harmful chemicals to the sanitary sewer and prevents solidification of FOG farther along in the sewer system.
Waste Grease Disposal Practices	Require FSEs to contract with licensed and permitted grease handlers.	Ensures that waste grease is removed by reputable and traceable handlers.
	Participate in voucher program to track grease disposal methods.	Notifies the FSEs and handlers that stated grease disposal methods and locations will be verified.

The following permit requirements form the basis of the source control measures that are incorporated into each FSE's permit.

1. **Specific Permit Conditions**

(a.) Clean the facility grease removal equipment (GRE) at a frequency that ensures efficient operation. At a minimum this must be performed according to the frequency determined at the time of inspection or more often for the grease interceptor, in order to comply with the City of Ontario public sewer system ordinance, Title 6, Chapter 7, Section 6-7.404(g). Refer to the attached appendage entitled GRE maintenance requirements for further information. The cleaning frequency must be increased during periods of increased business activity. Failure to follow this requirement will result in the issuance of a Notice of Violation.

(b.) Obtain and retain pumper's receipts and/or manifests on-site for a minimum of three years. Record all maintenance activities, including the dates that the

equipment is cleaned and by whom on the grease interceptor maintenance record that has been provided to you by the City of Ontario Municipal Utilities Company. Provide these records to the City, and/or Inland Empire Utilities Agency inspectors upon request. Failure to follow this requirement will result in the issuance of a Notice of Violation.

2. Standard Permit Conditions

(a.) Retain this permit on the premises and make it available upon request.

(b.) Regularly maintain your grease and oil interceptor so as to prevent excessive discharges of grease and oil into the sewerage system. The costs of installing, inspecting, cleaning, and maintaining such device(s) shall be at the sole expense of the user.

(c.) Have grease removal equipment intercept the waste lines leading from all floor drains, floor sinks, sinks, and waste container wash racks, and keep all domestic wastewater from restrooms, showers, drinking fountains, and condensate (i.e. ice melt, air conditioning) separate from the food service wastewater until the food service wastewater has passed through all necessary pretreatment equipment, devices, or monitoring stations.

(d.) The interceptor must be watertight, structurally sound, durable, properly maintained, and easily accessible for inspection and cleaning to assure that the accumulation of sand, oil or grease does not impair the efficiency of the interceptor or pass through the device.

(e.) Keep grease interceptor maintenance records and hauler's manifests for a minimum of three (3) years. These records shall be made available to the Ontario Municipal Utilities Company upon request. Clean and maintain your interceptor according to the frequency that is outlined in the permit. Submit copies of the maintenance receipts and maintenance log(s) along with the self-monitoring report form according to the Self-Monitoring Requirements.

(f.) If at any time during a required monitoring period, the permittee believes that a grease interceptor cleaning is not required based upon the criteria that is listed in item q below, then it is the responsibility of the permittee to notify the City of Ontario Municipal Utilities Company 15 days prior to the end of the monitoring period, in order to request a grease interceptor-inspection. Failure to do so will

result in a "Notice of Violation" should the permittee fail to pump the interceptor according to the frequency that is outlined in their permit or to notify the City to request an interceptor inspection.

(g.) Utilize a licensed grease hauler who has been permitted for pumping services. Pumping services shall include the initial complete removal of all contents, including floating materials, wastewater and bottom sludge and solids from the interceptor. It is unlawful for any grease waste hauler to reinsert, deposit, dump, place, release, or discharge into a grease trap, grease interceptor, manhole, cleanout, or other sanitary sewer appurtenance any materials that the hauler has removed from the grease trap or grease interceptor, or to cause those materials to be so handled. This prohibition as it pertains to reinsertion of material removed from a grease trap or grease interceptor, shall not apply to a grease waste hauler that has met all of the conditions that are outlined in both the California Penal Code Section 374.5(a)(2)(b) and the City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7, Sec. 6-7.404. Grease interceptor cleaning shall include scraping excessive solids from the walls, floors, baffles and all pipe work. You are responsible for inspecting the grease interceptor during the pumping procedure to ensure that the interceptor is properly cleaned out and that all fittings and fixtures inside the interceptor are in working condition and functioning properly.

(h.) Periodic inspection of the interceptor may be performed by the Ontario Municipal Utilities Company, in order to determine compliance with this section. The owner and/or user of the property shall be subject to enforcement actions if such user fails to maintain the interceptor and/or keep adequate records.

(i.) No user shall introduce or cause to be introduced into the City of Ontario's sewerage system or the POTW any solid or viscous materials which could cause obstruction to the flow in the sewer or cause interference with the operation of the POTW. Provide a collection drum or other container for maximum segregation of fats, oil, and grease, and provide documentation when requested by the Ontario Municipal Utilities Company showing its lawful disposal.

(j.) Implement and post a grease spill control plan when required.

(k.) You must notify the Ontario Municipal Utilities Company at (909) 395-2661 of any:

1. Sale, lease, transfer or assignment.

2. Change of facility name.
3. Changes in food preparation or kitchen practices and/or addition of equipment that requires and/or generates fats, oils or grease; and
4. Spill(s) that result in the discharge of fats, oils or grease to the sewer system.

(l.) You must allow Ontario Municipal Utilities Company representative(s) ready access at all reasonable times to all parts of the premises for purposes of sampling and inspection.

(m.) Any sale, lease, transfer or assignment of the operation for which the permit was issued shall require a new permit.

(n.) The terms and conditions of the permit are subject to modifications and change by the Ontario Municipal Utilities Company during the life of the permit. Ontario Municipal Utilities Company may suspend or revoke this permit for violation of any provision herein or of the City of Ontario Ordinance Title 6, Chapter 7.

(o.) Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

(p.) Any person(s) discharging wastewater in violation of the City of Ontario Public Sewer System Ordinance, Title 6, Chapter 7, is subject to fines, penalties, cost recovery, injunction, termination of sewer service, permit revocation and/or such other remedies as are available to the Ontario Municipal Utilities Company.

(q.) All facilities must comply with the minimum grease interceptor cleaning frequencies required in the user's permit, or more frequently in order to comply with the guidelines noted below:

1. Each food service facility shall determine the frequency at which its grease interceptor(s) shall be pumped according to the following criteria:

a. When the floatable grease layer exceeds six inches (6") in depth as measured by an approved dipping method;
b. When the settleable solids layer exceeds eight inches (8") in depth as measured by an approved dipping method;
c. When the total volume of captured grease and solid material displaces more than twenty percent (20%) of the capacity of the interceptor as calculated using an approved dipping method; or

d. When the interceptor is not retaining/capturing oils and grease; or the removal efficiency of the device, as determined through sampling and analysis, is less than eighty percent (80%).

Periodic inspection of the interceptor may be performed to determine compliance with this. The owner and/or user of the property is subject to enforcement actions if such user fails to maintain the interceptor and/or keep adequate records.

In the permit-based system, FOG handling permits are issued to FSEs. Permit requirements typically include installation of specific FOG removal equipment, required maintenance frequency, and the implementation of FOG handling BMPs.

Permits are a common regulatory control method because they offer a clear channel of communication to the FSE about their requirements for compliance, as well as a concise, uniform, and legal framework for operation of the FOG Source Control Program. The FOG Source Control Program has prioritized each of its FSEs as high, medium, and low priority facilities based upon its required monitoring frequencies determined at the time of their initial inspection. Permits are valid for a period of three years at which time they may be issued a new permit. The program focuses much of its attention on its high priority FSEs that have been identified as causing blockages or contributed to other problems in the sewerage system or have repeated violations. After which the program's attention shifts to those medium priority sites as needed, and then finally to those low priority FSEs. It is the goal of the FOG Source Control program to reduce or eliminate Sanitary Sewer Overflows (SSOs) and blockages and to protect public health and the environment.

VIII. System Evaluation and Capacity Assurance Plan

The City contracted with AKM Consulting Engineers in 2012 to prepare a Sewer Master Plan Update, including a Capital Improvement Plan (CIP), to ensure the provision of adequate hydraulic capacity of key sanitary sewer system elements to meet dry weather peak flow conditions and wet weather events. The Sewer Master Plan was completed in April 2012.

A. Evaluation

To estimate the residential, commercial, and industrial wastewater flows in the City, a temporary flow monitoring study was conducted by ADS Environmental Services from November 4, 2006 to December 12, 2006 at fifteen locations. Major sources that contribute to peak flows, including inflow and infiltration, were considered. Further hydraulic analysis was conducted in order to determine the capacity of key system components and hydraulic deficiencies. Tables summarizing the flow monitoring results and hydraulic deficiencies are provided in Appendix I.

B. Design Criteria

Design criteria are established to ensure that the wastewater collection system can operate effectively under all flow conditions. Each pipe segment must be capable of carrying peak wet weather flows in the hydraulically stable zone of the pipe. Low flows must be conveyed at a velocity that will prevent solids from settling and blocking the system. The design capacity of a gravity pipeline is the calculated capacity of the pipeline based on the Manning formula:

Q = (1.486/n)AR^(2/3)S^(1/2) where

Q = flow in cubic feet per second; R = hydraulic radius in feet = A / P; A = cross-sectional area of the pipe in square feet; P = wetted perimeter in feet; S = slope of pipe in feet of rise per foot of length; n = Manning's friction factor

Sewer system capacity is established using a Manning's friction factor of 0.013 for vitrified clay pipe. The design and analysis of sewer pipes is typically based upon the depth to diameter ratio (d/D). In this study, existing pipes were considered capacity deficient if the d/D is above 0.64 at peak dry weather flows. This d/D ratio was arrived at by taking 75 percent of a pipe's maximum stable flow capacity, which is at a d/D of 0.82. The area above a d/D of 0.82 is considered hydraulically unstable. This provides capacity for 25 percent of peak dry weather flow for inflow and infiltration.

C. Capital Improvement Program and Schedule

Since the 2014 SSMP the Ontario Municipal Utility Company has completed the Draft June 2020 Sewer Master Plan Update, which: 1) Utilized the City's 2010 The Ontario Plan (TOP) land use densities; 2) reevaluated and updated sewer demand factors based on newly collected flow monitoring data, existing land uses, population estimates, historical water use records, newly developed potable demand factors per the May 2016 Ultimate Citywide Water Demand Factor memo prepared by AKM Consulting Engineers and newly developed sewer return ratios; and 3) updated the sewer system inventory to include all recent improvements to the sewer system.

Existing and Ultimate (future) Capacity Deficiencies were identified as capital improvement projects within the Master Plan. The construction cost estimates are based upon the following 2019 Sewer DIF Update unit costs depending on where the project is located within the City; General City (GC/OMC) or Ontario Ranch (OR/NMC), see Unit Pipe Cost table below. Design studies will be conducted as needed to identify and evaluate project alternatives such as parallel pipes and/or diversions prior to final design. Sewer projects are budgeted annually and funded through the City's Sewer Capital Fund.

Pipe Size [inches]	GC Unit Pipe Cost [$/LF]	OR Unit Pipe Cost [$/LF]
8	$250.43	$109.20
10	$313.04	$130.00
12	$375.65	$150.00
15	$469.56	$185.00
18	$563.47	$220.00
21	$575.21	$255.45
24	$657.38	$290.40
27	$739.56	$325.35
30	$821.73	$360.30
36	$986.08	$430.20
42	$1,150.42	$500.10
48	$1,314.77	$570.00

Capital Improvement Program projects from the 2014 SSMP utilized the prioritized numbering system from the 2012 Sewer Master Plan Update, while the 2020 Draft Sewer Master Plan Update reprioritized projects based on current criteria and used overlapping numbering that did not coincided with previous versions of the CIP. In order to avoid confusion in this document, projects referenced from the 2012 Sewer Master Plan Update in the 2014 SSMP Update will include "2012." in front of the project number, while CIP projects referenced from the 2020 Sewer Master Plan Update for use in the 2021 SSMP Update will include "2020." in front of the project number, and those projects requiring reference in both sets of documents, will include the second coinciding project number reference in "[ ]".

The 2014 SSMP listed eighteen (18) CIP projects, while there eight (8) remaining in this 2021 SSMP's CIP list. Most of the removed projects were removed as a result of a CIP construction project completed since the last SSMP, or as a result of flow diversions, flow

monitoring results, reduced sewer flows from conservation efforts, and/or land use changes.

Projects Removed as a result of Flow Diversions/Flow Monitoring/Land Uses Changes:

Project No. 2012.8 (Deer Creek Loop and Laurel Tree Drive) Project No. 8 is 1,256 feet of sewer located in Deer Creek Loop and Laurel Tree Drive, from Deer Creek Loop to Riverside Drive (Manhole R20119 to Manhole R20161). The hydraulic model showed depth to diameter ratios ranging from 0.52 to 0.77 under existing peak dry weather conditions in the existing 10-inch sewer. The recommended replacement pipe size is 15-inches. The estimated cost for Project No. 8 is $996,800.

Project No. 2012.13 (Philadelphia Street, Parco Avenue to Vineyard Avenue) Project No. 13 is 3,893 feet of sewer located on Philadelphia Street from Parco Avenue to Vineyard Avenue (Manhole P16112 to Manhole P17126). The hydraulic model showed depth to diameter ratios ranging from 0.62 to 0.65 under ultimate peak dry weather conditions in the existing 36-inch sewer. The recommended replacement pipe size is 42-inches. It should be noted that further studies may be necessary to identify and evaluate alternative projects such as parallel pipes and/or diversions. The estimated cost for Project No. 13 is $7,568,700.

Project No. 2012.14 (Holt Boulevard, west of Imperial Avenue) Project No. 14 is 633 feet of 10-inch sewer located on Holt Boulevard west of Imperial Avenue (Manhole J16135 to Manhole J16133). The hydraulic model showed depth to diameter ratios of 0.78 to 0.80 under ultimate peak dry weather conditions. The recommended replacement pipe size is 15-inches. The estimated cost for Project No. 14 is $501,900.

Project No. 2012.15 (Vineyard Avenue south of Airport Drive and Easement) Project No. 15 is 1,527 feet of 15-inch and 18-inchsewer located in Vineyard Avenue south of Airport Drive (Manhole K17104 to Manhole K17108) and in an adjacent easement (Manhole K17108 to Manhole K17111). The hydraulic model showed a depth to diameter ratio ranging from 0.69 to 0.76 under ultimate peak dry weather conditions. It is recommended to replace the sewer with 294 feet of 18-inch pipe and 1,233 feet of 21-inch pipe. The estimated cost for Project No. 15 is $1,478,300.

Project No. 2012.16 (Guasti Road and Easement east of Haven Avenue) Project No.16 is 2,683 feet of 8-inch sewer located on Guasti Road and an easement east of Haven Avenue (Manhole J21115 to Manhole J21127). The hydraulic model showed depth to diameter ratios ranging from 0.71 to full under ultimate peak dry weather conditions. It is recommended to replace the sewer with 541 feet of 12-inch pipe and 2,142 feet of

15-inch pipe. The estimated cost for Project No. 16 is $2,043,100. Project No. 17 (Mills Circle north of Mall Drive)

Project No. 2012.17 is a proposed 15-inch sewer connection between existing Manhole I123100 and Manhole I123101. The project is located on Mills Circle north of Mall Drive. It would tie together an existing 10-inch and an existing 15-inch sewer in Mills Circle, diverting some of the flow to the 15- inch sewer and eliminating downstream deficiencies identified in the 10-inch sewer. The estimated cost for Project No. 17 is set at $132,300. The unit cost was not implemented in this case due to the short length of pipe.

Project No. 2012.18 (Holt Boulevard east of Vineyard Avenue) Project No. 18 is 652 feet of 12-inch sewer located Holt Boulevard east of Vineyard Avenue (Manhole J17127 to Manhole J17131). The hydraulic model showed a depth to diameter ratio of 0.76 under ultimate peak dry weather conditions. The recommended replacement pipe size is 15- inches. The estimated cost for Project No. 2012.18 is $517,400.

Project No. 2012.20 (Acacia Street, Easement to Locust Street, Locust Street, Parco Avenue) Project No. 20 is located on Acacia Street, an easement, Locust Street, and Parco Avenue (Manhole M16105 to Manhole N16119). It includes about 3,369 feet of pipe. The hydraulic model showed depth to diameter ratios ranging from 0.41 to full under ultimate peak dry weather conditions in the existing 8-inch sewer. The recommended replacement pipe size is 12-inches. The estimated cost for Project No. 20 is $2,138,300.

Project No. 2012.21 (Vineyard Avenue south of Cedar Street) Project No. 21 is 791 feet of 8-inch sewer located on Vineyard Avenue south of Cedar Street (Manhole O17121 to Manhole O17153). The hydraulic model showed a depth to diameter ratio of 0.74 under ultimate peak dry weather conditions. The recommended replacement pipe size is 12- inches. The estimated cost for Project No. 21 is $502,000.

Project No. 2012.23 (Easement south of Guasti Road) Project No. 23 is 1,780 feet of 15-inch sewer located in an easement south of Guasti Road (Manhole J19111 to Manhole K19108). The hydraulic model showed depth to diameter ratios ranging from 0.55 to 0.69 under ultimate peak dry weather conditions. The recommended replacement pipe size is 21-inches. The estimated cost for Project No. 23 is $1,730,600.

Project No. 2012.25 (Archibald Avenue, Easement from Archibald Avenue to Hellman Avenue) Project No. 25 includes 11,281 feet of 15-inch and 18-inch sewer on Archibald Avenue and an easement from Archibald Avenue to Hellman Avenue (Manhole K191002 to Manhole O18115). The hydraulic model showed depth to

diameter ratios ranging from 0.66 to full under ultimate peak dry weather conditions. It is recommended to replace the sewer with 7,858 feet of 21-inch pipe and 3,423 feet

Projects Removed as a result of Completed CIP Project Construction:

Project No. 2012.11 (Riverside Drive, Sultana Avenue to Campus Avenue) Project No. 11 is 1,214 feet of 12-inch sewer located on Riverside Drive from Sultana Avenue to Campus Avenue (Manhole R14156 to Manhole R14148). The hydraulic model showed depth to diameter ratios ranging from 0.67 to 0.76 under ultimate peak dry weather conditions. The recommended replacement pipe size is 15-inches. The estimated cost for Project No. 11 is $963,600.

Project No. 2012.12 (Plaza Serena Street, Granada Court to Vineyard Avenue) Project No. 12 is 153 feet of 8-inch sewer located on Plaza Serena Street from Granada Court to Vineyard Avenue (Manhole I17103 to Manhole I17104). The hydraulic model showed a depth to diameter ratio of 0.81 under ultimate peak dry weather conditions. The recommended replacement pipe size is 12-inches. The estimated cost for Project No. 12 is $97,400

Project No. 2012.19 (Bon View Avenue north of Francis Street) Project No. 19 includes 580 feet of 8-inch sewer on Bon View Avenue north of Francis Street (Manhole N14135 to Manhole N14151). The hydraulic model showed a depth to diameter ratio ranging from 0.70 to 0.72 under ultimate peak dry weather conditions. The recommended replacement pipe size is 12-inches. The estimated cost for Project No. 19 is $368,200.

Project No. 2012.22 (Easements and Inland Empire Boulevard) Project No. 22 is 3,445 feet of 15-inch sewer located in Inland Empire Boulevard and adjacent easements (Manhole I18109 to Manhole J19111). The hydraulic model showed depth to diameter ratios ranging from 0.49 to full under ultimate peak dry weather conditions. The recommended replacement includes 1384 feet of 18-inch sewer, and 2061 feet of 21-inch sewer. The estimated cost for Project No. 22 is $3,320,700.

Future CIP Construction Projects:

Project Location No. 2020.1 (Riverside Dr, east of Lower Deer Creek) Two reaches of sewer pipe (Manhole R19MH182 to Manhole R19MH180) in Riverside Drive east of Lower Deer Creek were identified as existing capacity deficiencies. Upon further examination of the as -built plans (S13564), it was determined that the recorded sewer inverts may not be correct and therefore the hydraulic model slopes may be incorrect as well. The recommendation for this location is to field verify the inverts of the sewers on as-built plan S13564, modify the hydraulic model as needed, and rerun the analysis.

The City will survey the sewers in this area. No cost is attributed to Project Location No. 1.

Project No. 2020.2 (Holt Blvd at Grove Ave) Project No. 2 is a project that will alleviate the existing capacity deficiency in the 10-inch sewer in Holt Boulevard west of Imperial Avenue (Manhole J16135 to Manhole J16133) that was shown to surcharge in the hydraulic model under future conditions. This project was developed and recommended after being studied as a part of the "Feasibility Study for the North Vineyard Sanitary Sewer Main Project" prepared by Stantec Consulting Services, Inc. and dated March 2020. Per the feasibility study technical memorandum, this project will require the following:

1. Verification of flow splitting at Nocta St and Virginia Ave

2. Construction of approximately 8 ft of 12-inch sewer

3. Construction of approximately 40 ft of 15-inch sewer

4. Construction of a drop manhole

5. Construction of an overflow feature in the existing Manhole J15149 to let peak flow continue to flow to

the existing 12-inch sewer on Holt Blvd

6. Approval and construction of a new connection IEUA's 36-inch sewer in Grove Ave.

Per the feasibility study, the estimated base cost for Project No. 2 is $379,920. The total cost including contingency, engineering & design, and construction management is estimated at $502,450.

Project No. 2020.3 (I St, between Elderberry Ave and Benson Ave) Project No. 3 was identified due to an existing capacity deficiency. It involves the construction of about 360 feet of 8-inch sewer in Mountain Avenue, south of I Street (Manhole H11143 to Manhole I11100). The intention is to divert sewage south in Mountain Avenue and alleviate the capacity issues in I Street west of Elderberry Avenue. Once the diversion sewer is constructed, the sewer in I street could be utilized as an overflow. The estimated cost for Project No. 3 is $119,230.

Project No. 2020.4 (Easements between Archibald Ave and Hellman Ave, Hellman Ave, Philadelphia St) Project No. 4 involves about 8,200 feet of 18-inch sewer pipe that is identified as capacity deficient when the future developments are constructed. It would be quite costly if all pipe were to be upsized or if parallel sewers were to be

constructed to address this deficiency. Instead, it is recommended that the City investigate the possibility of constructing a sewer in Archibald Avenue from Manhole O19107 to the 42" IEUA trunk sewer in Cedar Street. The City already has an approved IEUA connection at this location that is currently not being used. This potential sewer could either divert all the sewage flow to IEUA's trunk sewer or it could be designed as an overflow sewer. The existing system downstream of Manhole O19107 includes two siphons: one at the crossing of Cucamonga Creek Channel north of Cedar Street (4" and 12" barrels) and one at Philadelphia Street just north of the RP-1 Treatment Plant (8", 18", 24" barrels). Reducing sewage flow to the downstream sewers and siphons could create a maintenance issue if there is not enough flow and velocity to push debris through on a regular basis. A preliminary design study should be conducted to determine the possibility of diverting sewage flow to IEUA and how much should ultimately be diverted as well as the possibility of eliminating one or both of the siphons.

The total length of sewer to potentially be constructed between Manhole O19107 and the IEUA sewer in Cedar Street is about 800 feet. If a full diversion is designed, the recommended sewer size is a minimum of 18-inches depending on the design slope. The pipe size should be verified to meet the City's criteria during the design phase of the project.

For planning and budgeting purposes, the replacement cost of the 6,920 feet of deficient pipe is included in the CIP for Project No. 4 in the event that the recommended diversion or overflow sewer cannot be constructed. The estimated cost of $6,358,930 includes the reconstruction of the Cedar Siphon.

Project No. 2020.5 (Future Multi-Modal Mixed-Use Development) Project No. 5 Is 1,185 of 8-inch pipe (Manhole J18106 to Manhole J19111) between the I-10 Freeway and Guasti Road, west of Archibald Avenue. This area is designated as the future Multi -Modal Mixed-Use development. These sewers were shown to surcharge in the hydraulic model under future peak dry weather conditions.

It is recommended that the City monitor sewage flows as development occurs. The recommended pipe replacement pipe size is 12-inches. The estimated cost for Project No. 5 is $588,660.

Project No. 2020.6 (Old Guasti Rd, between Turner Ave and Archibald Ave) Project No. 6 is 1,647 feet of 8-inch sewer located on Old Guasti Road west of Turner Avenue (Manhole J20131 to Manhole J19MH139). The hydraulic model showed depth to diameter ratios ranging from 0.66-0.76 future peak dry weather conditions. The

recommended replacement pipe size is 12-inches. The estimated cost for Project No. 6 is $817,980.

Project No. 2020.7 (Airport Dr and Grove Ave) Project No. 7 is 751 feet of 8-inch sewer in Airport Drive and 864 feet of 21-inch sewer in Grove Avenue. This project will provide sewer service to adjacent parcels that currently do not have a sewer nearby as well as future capacity for the potential of expansion in the vicinity of the airport. The estimated cost for Project No. 7 is $3,308,790.

Project No. 2020.8 (5th St and Euclid Ave) Project No. 8 is 2,050 feet of 8-inch sewer located in 5th Street and Euclid Avenue. This project will divert flow around Chaffey High School. Currently the sewer runs beneath the buildings. The estimated cost for Project No. 8 is $678,950.

IX. Monitoring, Measurement, and Program Modification

As part of its Sewer System Management Plan, the City must maintain relevant information to be used to establish and prioritize appropriate SSMP activities. The City must monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP, and assess the success of the preventative maintenance program. Additionally, the City must update program elements, as appropriate, based on monitoring and/or performance evaluations, and identify and illustrate SSO trends, including frequency, location, and volume.

X. SSMP Program Audits

As part of its Sewer System Management Plan, the City must conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit must focus on evaluating the effectiveness of the SSMP and the City's compliance with the SSMP requirements, including identification of any deficiencies in the SSMP and steps to correct them.

The City has developed an SSMP Audit Checklist (see Appendix L). This form will be used annually to audit the SSMP and report on its continued use, effectiveness, and any updates or changes to the program.

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XI. Communication Program

As part of its Sewer System Management Plan, the City must communicate on a regular basis with the public regarding the development, implementation, and performance of the SSMP. This is

accomplished via the discussion and adoption of resolutions for the development and implementation of the SSMP held on an incremental basis at multiple City Council meetings, which are open to the public. Additionally, the City must create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system. This is accomplished via regular formal meetings, as well as routine informal communications, conducted by and between IEUA and its Member Agencies.

Glossary

BMP - Best Management Practice

CalEMA – California Emergency Management Agency

CCTV - Closed circuit television

Cityworks® - Software used to manage work orders and service requests

CIP - Capital improvement plan

DOC – Departmental Operations Center

EOC - Emergency Operations Center

FSE - Food service establishment

IEUA - Inland Empire Utilities Agency

GIS - Geographic Information System

gpd - Gallons per day

gpm - Gallons per minute

mgd - Million gallons per day

O&M - Operations and Maintenance

RCA - Regional Contract Agency

RWQCB – Regional Water Quality Control Board

SCADA - Supervisory Control and Data Acquisition

SSO - Sanitary Sewer Overflow

NASCO - National Association of Sewer Companies

PACP - Pipeline Assessment Certification Program

SOP - Standard Operating Procedure

City of Ontario Municipal Sewer Ordinance

CITY OF ONTARIO MUNICIPAL SEWER ORDINANCE

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1. ARTICLE 1. GENERAL PROVISIONS

A) SEC. 6-7.101. AUTHORIZATION.

This chapter is enacted pursuant to authority conferred by law including, but not limited to, Cal. Health & Safety Code, §§ 5400 to 5474, Cal. Gov't Code, §§ 54725 to 54740, and 66000 to 66003, Cal. Code of Regulations, Title 22, the Federal Clean Water Act, 33 U.S.C. 1251, et seq., the Code of Federal Regulations, the Porter Cologne Act, the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901, et seq. and the National Pollutant Discharge Elimination System Permits issued by the Regional Water Quality Control Board, Santa Ana Region, to the Inland Empire Utilities Agency (IEUA).

(§ 3, Ord. 2755, eff. April 4, 2002)

B) SEC. 6-7.102. PURPOSE AND OBJECTIVES.

(a) This chapter sets forth uniform requirements for direct and indirect contributors into the City of Ontario sewerage system and IEUA treatment system, and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403), and subsequent amendments to each.

(b) The primary objectives of this chapter are:

(1) To prevent the introduction of pollutants into the City of Ontario sewerage system, which would interfere with the operation of the collection system or treatment processes or contaminate the resulting sludge;

(2) To prevent the introduction of pollutants into the City of Ontario's sewerage collection and IEUA's treatment system which would pass through said system inadequately treated, into receiving waters or the atmosphere, or otherwise be incompatible with the system;

(3) To protect the health of the public and the City of Ontario and IEUA operations and maintenance personnel;

(4) To improve the opportunity to recycle and reclaim wastewaters and biosolids from the sewerage system;

(5) To provide for equitable distribution of the cost of the sewerage system, wastewater pretreatment programs, and all related services through the establishment of fair and equitable fees and charges.

(c) This chapter provides for the regulation of direct and indirect contributors to the City of Ontario's sewerage system through the issuance of permits to certain non-domestic sewer users, authorizes monitoring and enforcement activities; requires user reporting; assumes that existing customers' capacity will not be preempted, and provides for the setting of fees by the City of Ontario for the equitable distribution of costs resulting from the program established herein.

(§ 3, Ord. 2755, eff. April 4, 2002)

C) SEC. 6-7.103. ADMINISTRATION.

Except as otherwise provided in this chapter, the Administrator shall administer, implement, direct and cause enforcement of the provisions of this chapter. Whenever any power is granted to or a duty is imposed upon the Administrator, the power may be exercised or the duty may be performed by a user authorized by the Administrator.

(§ 3, Ord. 2755, eff. April 4, 2002)

D) SEC. 6-7.104. APPLICABILITY.

This chapter shall apply to all users of the City's sewerage facilities within the City, and to users outside the City who are, by permit, contract, or agreement with the City, users of the City's sewerage facilities.

(§ 3, Ord. 2755, eff. April 4, 2002)

E) SEC. 6-7.105. REGIONAL PRETREATMENT AGREEMENT.

The City of Ontario adopted an agreement known as the Regional Pretreatment Agreement, entered into by and among IEUA, the City of Ontario and the cities of Chino, Chino Hills, Fontana,

Montclair, Upland, and the Cucamonga County Water District. Said agreement is hereby adopted and incorporated by reference as if fully set forth herein. Copies of the said agreement are on file with the City Clerk of the City of Ontario.

(§ 3, Ord. 2755, eff. April 4, 2002)

F) SEC 6-7.106. DEFINITIONS.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, shall have the meanings hereinafter designated. The definitions in this chapter are included for reference purposes and are not intended to narrow the scope of definitions set forth in federal or state law or regulations. Words used in this chapter in the singular may include the plural and the plural may include the singular. Use of masculine shall also mean feminine and neuter.

(a) "Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

(b) "Authorized industrial representative" means:

(1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function if the user is a corporation;

(2) The manager of one (1) or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding $25 million, if authority to sign documents has been delegated to the manager in accordance with corporate procedures; or

(3) A general partner or proprietor if the user is a partnership or proprietorship respectively; or

(4) A duly authorized representative of the individual designated in (1), (2), or (3) above, if such representative is responsible for the overall operation of the facility discharging to the sewerage system.

(c) "Batch process" means a treatment process in which a tank or vessel is filled, the wastewater (or solution) is treated or checked to ensure that discharge standards are met and is then released to the sewerage system. A batch process is intermittent, not continuous.

(d) "Biosolids" means the non-hazardous and recyclable organic matter resulting from the treatment of wastewater.

(e) "Biochemical oxygen demand (BOD)" means a test method which measures the organic strength of the wastewater. The BOD test measures the amount of oxygen consumed by the microorganisms in the wastewater as they stabilize decomposable organic matter under aerobic conditions. The BOD test is a five (5) day test where the wastewater is kept at twenty (20) degrees centigrade and the results are expressed in milligrams per liter (mg/L).

(f) "Brine" means wastewater saturated with or containing large amounts of salt, especially of sodium chloride.

(g) "Business" means an industrial or commercial enterprise.

(h) "Bypass" means the intentional diversion of wastestreams from any portion of a user's treatment facility.

(i) "Capital facilities fee" means the prevailing unit cost per EDU fee, based on the EDU value as established in this chapter, and adjacent sewer line size.

(j) "Categorical industrial user (CIU)" means any industrial user subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N.

(k) "Categorical pretreatment standards" means national wastewater discharge pollutant limits developed by the EPA for any industry in any designated category. The pollutant effluent limits are contained in the Code of Federal Regulations.

(l) "Clean Water Act (CWA)" means the Federal Water Pollution Control Act, also known as the Clean Water Act and the regulations adopted thereto. The Clean Water Act is the primary federal law that protects our nation's waters, including lakes, rivers, aquifers and coastal areas.

(m) "Clean Water Enforcement and Pollution Prevention Act of 1999" means the California law which authorizes Regional, State Boards and POTWs to require mandatory penalties and implementation of pollution prevention plans for various types of effluent violations

(n) "Code of Federal Regulations (CFR)" means a publication of the United States Government that contains all of the proposed and finalized federal regulations, including environmental regulations.

(o) "Collection system" means the combined pipes, conduits, manholes, and other structures, usually underground, whose purpose is to convey sanitary wastewater.

(p) "Compatible pollutants" means those pollutants such as biochemical oxygen demand (BOD), total suspended solids (TSS), and ammonia that are normally removed by the POTW treatment processes.

(q) "Compliance schedule" means the time period allowed by the City for a user to comply with permit conditions or discharge requirements.

(r) "Composite sample" means a collection of individual samples taken on a time or flow interval basis, and usually combined to give an average representative sample for the sample period.

(s) "Constituent" means any chemical element, compound, or mixture that is either suspended or dissolved in the wastewater stream.

(t) "Conventional pollutants" means those pollutants which are usually found in domestic, commercial, or industrial wastewaters such as biochemical oxygen demand, suspended solids, pathogenic organisms, pH, and oil & grease.

(u) "Direct discharge" means the direct release of treated or untreated wastewaters directly to the navigable waters of the United States. Direct discharges are regulated under the NPDES.

(v) "Discharge" means sewage or wastewater which is released into or allowed to enter the public sewerage system.

(w) "Discharge limits" means the maximum concentration levels at which specific pollutants are allowed to be discharged.

(x) "Discharge permit" means formal authorization by the City, stipulating the conditions under which a user's wastewater may be released to the City's sewerage system.

(y) "Domestic wastewater" means the liquid and solid waste derived from the ordinary living processes of humans, free from industrial wastewater, and of such character as to permit satisfactory treatment and disposal by conventional sewage treatment processes.

(z) "Environmental Protection Agency (EPA)" means the federal agency charged by law with carrying out and obtaining compliance with the Clean Water Act of 1977 and other federal environmental laws and promulgating, interpreting and enforcing regulations implementing such statutes.

(aa) "Equivalent dwelling unit (EDU)" represents the wastewater flow from a single-family residential household. A typical single-family residential household has a wastewater flow of two hundred seventy (270) gallons/day, with a BOD and TSS equal to 230 mg/L and 220 mg/L, respectively.

(ab) "Existing source" means an industrial discharger that was in construction or operation prior to the EPA proposing pretreatment standards for the industrial category. The standards will be applicable to such source if the category is thereafter promulgated in accordance with Section 307 of the Act

(ac) "Fee" means any charge made to the user for the use of the sewerage system and shall include, but not be limited to, capital facilities fee, sewer assessment fee, connection and frontage fee, industrial wastewater permit fee, sampling fee, inspection fee, noncompliance fee, oversize sewer fee, monthly sewer service fee, and other user fees.

(ad) "Flammable liquid" means a liquid which by itself, or any component of it present in greater than one percent (1%) concentration, has a flashpoint below one hundred (100) degrees Fahrenheit (thirty-eight (38) degrees Centigrade).

(ae) "Frontage fee" means the prevailing unit frontage fee, based on the sewer main size as established in § 6-7.707, multiplied by the length, in feet, of the sewer frontage of a lot or parcel.

(af) "Grab sample" means a single sample collected at a particular time and place which represents the wastestream at that time and place only, and which does not exceed a fifteen-minute duration.

(ag) "Hazardous Materials Management Plan" means a document prepared by an industry which contains copies of Material Safety Data Sheets (MSDS) as well as additional information regarding the storage, handling, and disposal of all chemicals used on site by the industry.

(ah) "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to § 311 of the Act.

(ai) "Hazardous waste" shall be as defined in 40 CFR Part 261.3 or Title 22, Cal. Code of Regulations.

(aj) "Indirect discharge" means the release or introduction of pollutants into the City's sewerage system from any non-domestic source regulated under §§ 307(b), (c) or (d) of the Act, which may include septage. These discharges are subject to the City's Municipal Code.

(ak) "Industrial cost recovery (OCR)" means a charge to all users of the sewerage system equal to the portion of the federal grant used for the construction of the Regional Sewage Treatment Plant allocable to industrial users.

(al) "Industrial user" or "user (IU)" means any user, business, or facility that discharges or causes a discharge of non-domestic waste directly or indirectly into the City sewerage system.

(am) "Industrial wastewater" or "industrial waste" means any waste or substance spilled, discharged, flowing or allowed to escape from any producing, manufacturing, processing, chemical, waste or materials storage area, institutional, governmental, or agricultural operation or from any other operation, or from the development, recovery or processing of any material resource. Industrial wastewater includes but is not limited to waste and/or wastewater resulting from equipment maintenance and cleaning, product coating, coloring, painting, plating, treating, degreasing or cleaning, heating and cooling systems, and water treatment devices. Industrial wastewater does not include domestic wastewater and unpolluted water as defined in this chapter. Any wastewater that is hauled by truck, rail or other means, and discharged into the sewerage system, shall be considered industrial wastewater, regardless of the original source.

(an) "Inland Empire Utilities Agency (IEUA)" shall be defined as the regional sewer treatment agency. IEUA is also responsible for jointly administering the provisions of this chapter.

(ao) "Inspector" means a person authorized by the Administrator to inspect any development that is

discharging or has the potential to discharge wastewater into the sewerage system.

(ap) "Instantaneous maximum allowable discharge limit" means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete

or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

(aq) "Interceptor" means a treatment system designed, constructed and operated for the purpose of removing and retaining sand, oil, and grease from wastewater by differential gravity separation before discharge to the sewerage system. This term shall include both oil and grease interceptors and sand and oil interceptors.

(ar) "Interference" means a discharge that alone or in conjunction with a discharge or discharges from other sources,

(1) Inhibits or disrupts the POTW, its treatment processes or operations, or its processes, including either the use or disposal of sludge; and

(2) Is a cause or threatens to cause, a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and ordinance or permits issued hereinafter (or more stringent state or local regulations): § 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) [including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of SWDA], The Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

(as) "Lower explosive limit (LEL)" means the point where the concentration of a gas-in-air is sufficiently large to result in an explosion if an ignition source (sufficient ignition energy) is present.

(at) "Mass emission rate", "mass limit" means the weight of material discharge to the sewerage system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.

(au) "Material Safety Data Sheets (MSDS)" means a document normally developed by a chemical manufacturer or formulator, which provides pertinent information about a chemical substance or mixture. The MSDS is required to be available to employees and inspectors when a chemical substance is used or found in the workplace.

(av) "Maximum extent practicable (MEP)" means to the maximum extent possible, taking into account equitable considerations of synergistic, additive, and competing factors, including but not limited to, gravity of the problem, fiscal feasibility, public health risks, societal concern, and social benefits.

(aw) "Milligrams per liter (mg/L)" means one (1) milligram of a pollutant in one (1) liter of water or wastewater and can also be expressed as parts per million.

(ax) "Monitoring facility" means any structure approved by the Administrator to provide a convenient access point for monitoring the quantity and quality of a user's wastewater.

(ay) "National Pretreatment Standards", "pretreatment standards", or "standards" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with §§ 307 (b), (c), or (d) of the Act and 40 CFR Chapter I, Subchapter N (Parts 403 - 471), which established prohibitions or limitations on the discharge of pollutants from point sources.

(az) "National Pollutant Discharge Elimination System (NPDES) Permit" means a permit issued by state or federal agencies pursuant to § 402 of Act (33 U.S.C. 1432).

(ba) "Noncompatible pollutants" means those pollutants that are not removed by the sewage treatment plant or compatible pollutants in excessive quantities or concentrations. These pollutants may be toxic and cause waste to pass-through or interfere with sewage treatment systems.

(bb) "Nonintegrated facility" means industrial sources that generate wastewaters from different categorical and non-categorical (ancillary) processes, but do not combine the wastestreams prior to pretreatment or discharge to the sanitary system.

(bc) Non-Reclaimable Wastewater System (NRWS). A sewerage line that is owned and operated by IEUA primarily for the disposal of non-reclaimable wastewater (brine).

(bd) "Occupant" means the tenant, renter or lessee of property who is the recipient of other utility services provided by the City and is responsible by utility application, agreement or by other means for the payment of said utility services.

(be) "Owner" means the legal owner of the parcel of real property, except when the legal owner or said real property is such due to the holding of a mortgage, note or other such security, in which case the "owner" shall be deemed to be a beneficial owner of said parcel of real property.

(bf) "Pass-through" means a discharge that passes through the POTW to the waters of the state in concentrations which, alone or in conjunction with other discharges, cause an NPDES permit violation, including an increase in the magnitude or duration of the violation.

(bg) "Permittee" means a user, business, or company who has received a permit to discharge wastewater into the City sewerage system subject to the requirements and conditions established by the City.

(bh) "Pollutant" means any substance which contributes to or causes the impairment of the beneficial recycling of water or sludge. Pollutants include but are not limited to: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, and agricultural waste, and certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, COD, BOD, toxicity, or odor).

(bi) "Pollution" means the man-made or man-induced degradation of the chemical, physical, biological, and/or radiological integrity of water.

(bj) "Pretreatment" or "treatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants to a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes by other means except as prohibited by 40 CFR, § 403.6 (d).

(bk) "Pretreatment facility" means an industrial wastewater treatment plant consisting of one (1) of more treatment devices designed to remove sufficient pollutants from wastewaters to allow a user to comply with EPA, state or local effluent limitations for legal discharge to a POTW.

(bl) "Pretreatment standards" or "standards" means prohibited discharge standards, categorical pretreatment standards and local limits.

(bm) "Process wastewater" means any wastewater contaminated by human activities including but not limited to that originating from manufacturing, agriculture, processing, rinsing, washing or producing.

(bn) "Public agency" means the State of California or any city, county, district, other local authority or public body within the State of California.

(bo) "Public sewer system," "public sewer," "sewerage system," or "regional sewerage system" means any sewerage facility which is located in and maintained by the City or IEUA. The public sewer does not include the nonreclaimable waste system.

(bp) "Publicly owned treatment works (POTW)" means all sewerage facilities used for collecting, conveying, pumping, treating, and disposing of sewage, whether these facilities are operated and maintained by the City or IEUA.

(bq) "Regional sewage service contract" means the agreement between IEUA and the public sewering agencies in the Chino Basin area, to provide for the acquisition, improvement, and expansion of regional sewerage facilities for collecting, conveying, pumping, treating, and disposing of sewage from each of the public sewering agencies in the IEUA service area.

(br) "Regulatory agencies" means any or all agencies regulating the City, including, but not limited to, the Environmental Protection Agency, the State Water Resources Control Board, and the Regional Water Quality Control Board.

(bs) "Resource Conservation and Recovery Act (RCRA)" means a federal act that regulates the generation, storage, transportation and disposal of federally defined hazardous wastes from "cradle to grave".

(bt) "Serious violation" means any waste discharge that exceeds the effluent limitations for a Group II pollutant, as specified in Appendix A to 40 CFR 123.45, by twenty percent (20%) or more or for a Group I pollutant, as specified in Appendix Z to 40 CFR 123.45, by forty percent (40%) or more.

(bu) "Sewage" means the individual or community wastewater derived from residential, agricultural, commercial, or industrial sources, including domestic sewage, and industrial wastewater.

(bv) "Sewer" means sanitary sewer mains, including appurtenances such as manholes and clean-outs, but does not include residential, commercial, and industrial laterals and connections to the public sewer system.

(bw) "Sewer factor" or "SF" means a value used to calculate the sewer assessment fee based on the levels of BOD and TSS in a user's wastewater, and the estimated volume of the wastewater. If unknown, the volume of the wastewater may be estimated using the number of fixtures in the proposed building.

(bx) "Sewer frontage" means the boundary of a lot or parcel of land fronting on the sewer to which a service connection is made, except in the case of corner lots, or irregularly shaped lots, where the appropriate frontage shall be determined by the Engineering Department or the Administrator.

(by) "Sewer service connection fee" means a sewer fee consisting of a frontage connection fee, a capital facilities fee, one-time assessment fee, or a combination thereof.

(bz) "Sewerage facilities" means any and all facilities used for collecting, conveying, pumping, treating, and disposing of sewage.

(ca) "Shall" is mandatory, "may" is permissive.

(cb) "Significant industrial user (SIU)" means:

(1) All categorical industrial users; and

(2) Any noncategorical user that:

(i) Discharges twenty-five thousand (25,000) gallons per day or more of process wastewaters (excluding sanitary, noncontact cooling water, and boiler blowdown wastewaters);

(ii) Contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of a treatment plant; or

(iii) Has a reasonable potential, in the opinion of the Administrator, to adversely affect the POTW.

(cc) "Significant non-compliance (SNC)" means an industrial user whose violation(s) meets one (1) or more of the following criteria:

(1) Chronic violations of wastewater discharge limits to the sewer, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month

period exceed the daily maximum limit or average monthly limit for the same pollutant parameter by any amount;

(2) Technical Review Criteria (TRC) violations of wastewater discharge limits to the sewer, defined here as those in which thirty-three percent (33%) or more of the wastewater measurements taken for each pollutant parameter during a six (6) month period equal or exceed the product of the daily maximum or average monthly limit multiplied by the applicable federal technical review criterion (1.4 for BOD, TSS, fats, oils & grease, and 1.2 for all other pollutants except pH);

(3) Any other discharge violation that the Administrator believes has caused, alone or in combination with other discharges, interference or pass-through at the sewage treatment plant;

(4) Any discharge to the sewer system that has caused endangerment of the public, City or IEUA personnel or the environment, or has resulted in the Administrator's exercise of emergency authority to halt or prevent such a discharge;

(5) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(6) Failure to provide within thirty (30) days after the due date, any reports required by this chapter, including BMRs, reports on compliance with Categorical Pretreatment Standard deadlines, monitoring reports, and reports on compliance with compliance schedules;

(7) Failure to accurately report noncompliance; or

(8) Any other violation, which the Administrator determines, will adversely affect the operation or implementation of the pretreatment program.

(cd) "Single-family residential" means all developed parcels with one (1) single-family detached housing unit, and/or any single-family residential unit that is served water by an individual water meter.

(ce) "Single pass non-contact cooling water" means water that has no direct contact with any raw material or product, and which is used only once for the purpose of cooling, and then is discarded or discharged.

(cf) "Single pass non-contact heating water" means water that has no direct contact with any raw material or product, and which is used only once for the purpose of heating, and then is discarded or discharged.

(cg) "Sludge" means any solid, semi-solid or liquid decant, subnate from a manufacturing process, utility service, or pretreatment facility.

(ch) "Slug load" means any pollutant release in a discharge at a flow rate and/or pollutant concentration which will cause interference or upset of the sewerage system operations.

(ci) "Spill containment" means a City approved protection system installed by the user to prevent the discharge of non-compatible pollutants into the sewer system.

(cj) "State Water Resources Control Board (SWRCB)" means the California water pollution control agency with overall pretreatment responsibility through delegation agreements with the EPA.

(ck) "Technical review criteria (TRC)" means an EPA term that defines the magnitude of a discharge limit violation. To determine whether the TRC limit has been exceeded, one must multiply the daily maximum or average limit by the applicable federal value of 1.4 for conventional pollutants (BOD, TSS, fats, oils & greases) or 1.2 for all other pollutants except pH.

(cl) "Total suspended solids (TSS)" means the total matter that is suspended in water or wastewater and is expressed in milligrams per liter (mg/L).

(cm) "Total toxic organics (TTO)" means the sum of all toxic organic compounds present in an industrial user's process discharge at concentrations greater than 0.01 mg/L and listed under 40 CFR Chapter I, Subchapter N.

(cn) "Toxic Organics Management Plan (TOMP)" or "Solvent Management Plan (SMP)" means an organized strategy for keeping track of all solvents delivered to a site, their storage, generation, use, and disposal. A TOMP or SMP addresses both the prevention of toxic organics discharge to the sewerage system or the environment and the control of spills and leaks. It also ensures against the deliberate dumping of solvents.

(co) "Toxic pollutant" means those pollutants or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis information available to the Administration of EPA, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunction (including malfunctions in reproduction) or physical deformations, in such organism or their offspring.

(cp) "Unpolluted water" means water to which no pollutant has been added either intentionally or accidentally.

(cq) "Upset" means an exceptional incident in which there is unintentional and temporary non-compliance with discharge limits as specified on the user's permit because of factors beyond the reasonable control of the user. An "upset" does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment devices, lack of preventative maintenance or careless or improper operation.

(cr) "User" or "discharger" means any person, industry or establishment which discharges or causes to be discharged any wastewater directly or indirectly to the sewer system and shall also mean an owner or occupant whether private, governmental, or otherwise of a unit, building, premise or lot in the City.

(cs) "Volatile" means natural (plant or animal origin) or synthetic substances that are capable of being evaporated or changed to a vapor at relatively low temperatures.

(ct) "Waste manifest" means the receipt which is retained by the generator of hazardous wastes as required by the state and/or the federal government pursuant to RCRA or the California Hazardous Materials Act, or that receipt which is retained by the generator for recyclable wastes or non-hazardous wastes as required by the City.

(cu) "Wastehauler" means any user carrying on or engaging in vehicular transport of waste.

(cv) "Wastewater" or "waste" means any discarded substance in any form (liquid, semi-solid, solid or gaseous) that has the potential of being disposed of or entering the sewer.

(cw) "Wastewater factor (WF)" means a value used to calculate the monthly sewer service charge based on the levels of BOD and TSS in a user's wastewater, and the estimated volume of the wastewater. The volume of the wastewater is estimated from the user's waste consumption using a fixed percentage.

Words used in this chapter in the singular may include the plural and the plural the singular. Use of masculine shall also mean feminine and the use of feminine shall also mean masculine.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 11, Ord. 2816, eff. December 1, 2005)

2. ARTICLE 2. PROHIBITION AND DISCHARGE LIMITS

A) SEC. 6-7.201. PROHIBITED DISCHARGES.

No user shall discharge a quantity or quality of wastewater to the sewerage system or POTW which causes, or is capable of causing, either alone or by interaction with other substances, pass-through or interference. No user shall introduce or cause to be introduced into the City of Ontario's sewerage system or the POTW the following pollutants, substances, or wastewater except as allowed by Exhibit A of this chapter or as expressly allowed in an industrial wastewater permit:

(a) Gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, or any other liquid, solid or gas which causes or is capable of causing, either alone or by interaction with other substances, a fire or explosive hazard, impairment of the effective maintenance or operation of the POTW, or in any other way, may cause danger to the life or safety of any user, damage to private properties or the sewerage facilities in the City of Ontario or the POTW. Prohibited materials include, but are not limited to, any wastestream with a closed cup flash- point of less than one hundred forty (140) degrees Fahrenheit or sixty (60) degrees Centigrade; by Federal Regulation 40 CFR 403.5 (b)(1);

(b) Any discharge which, alone or in combination with other wastes, results or may result in the presence of toxic gases, vapors or fumes within the City of Ontario sewerage system or the POTW in quantities that cause or may cause acute health and safety problems to any user;

(c) Any discharge containing toxic or poisonous solids, liquids or gases in such quantities that alone or in combination with other waste substances, may create a hazard for humans, animals or the local environment, interfere with any wastewater treatment process, cause a public nuisance, or cause any hazardous condition to occur in the sewerage system. Toxic pollutants shall include, but are not limited to, any pollutant identified pursuant to § 307(a) of the Act;

(d) Any amount of a hazardous substance or toxic pollutant;

(e) Any waste except sanitary wastes discharged directly into the City of Ontario's sewerage system with a pH less than 6.0 or greater than 12.0 units;

(f) Pollutants or wastewater that would cause a violation of any statute or rule, regulation, or ordinance of any public agency or regulatory agency having jurisdiction over the discharge of wastewater from the City of Ontario's sewerage system;

(g) Pollutants that interfere with the effluent or any other treatment process, residues, sludges or scums; or cause biosolids to be unsuitable for beneficial reuse, reclamation or disposal;

(h) Any solid or viscous materials which could cause obstruction to the flow in the sewer or cause interference with the operation of the POTW. These materials include but are not limited to grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, earth, gravel, plaster, concrete, straw, metal filings, metal, spent lime, stone marble dust, metal, shavings, sharps, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas tar, asphalt, residues from refining or processing of fuel, lubricating oil, mud, glass, glass grinding, polishing wastes, rags, grease, paper dishes, paper cups, milk cartons or other similar paper products either whole or ground, or garbage which does not pass through a three-eighths (3/8) inch screen;

(i) Any amounts of petroleum oil, non- biodegradable cutting oils, emulsified oil or products of mineral oil origin which form persistent water emulsions or that will cause an upset, interference or pass through at the POTW;

(j) Wastewater having a temperature that will inhibit biological activity at the POTW, resulting in interference, but in no case wastewater that causes the temperature at the introduction of the POTW to exceed one hundred four (104) degrees F (forty (40) degrees C);

(k) Pollutants, including oxygen-demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;

(l) Pollutants that cause discoloration, pass-through, interference or any other condition which affects the quality of the POTW effluent in such a manner that receiving water quality requirements established by regulatory agencies cannot be met;

(m) Any quantity of pesticides, PCBs, herbicides, algaecides, or fertilizers which causes an interference, an upset, or a pass through at the POTW;

(n) Any drainage from a vehicle radiator;

(o) Any recognizable portions of the human or animal anatomy;

(p) Any wastes which cause excessive incrustations, scale, or precipitates on sewer walls; or having any corrosive or detrimental characteristics that may cause damage to the City of Ontario's sewerage system or injury to service and maintenance personnel;

(q) Any strongly odorous waste or waste tending to create odors;

(r) Any infectious waste except where prior written approval for such discharges is given by the Administrator. Such waste shall be rendered non- infectious prior to discharge if the infectious waste is deemed to pose a threat to the public health and safety, or will result in any violation of applicable waste discharge requirements;

(s) Any waste containing substances that may precipitate, solidify, gel, polymerize, or become viscous at temperatures between forty (40) degrees Fahrenheit and one hundred (100) degrees Fahrenheit;

(t) Any waste generated outside the City of Ontario unless otherwise approved by the Administrator.

(§ 3, Ord. 2755, eff. April 4, 2002)

B) SEC. 6-7.202. RAINWATER OR UNPOLLUTED WATER.

It in unlawful for any user to discharge or cause to be discharged to the sewerage system any rainwater, stormwater, groundwater, street drainage, subsurface drainage, roof drainage, yard drainage, yard fountains, ponds or lawn sprays, or any other unpolluted water. Any discharges from swimming pools, wading pools, or therapy pools in which chlorine may be present, may be permitted by the Administrator to discharge to the sewerage system. If permission is granted for the discharge of such water into the sewerage system, the user shall provide for restricted flow and pay any applicable fees.

(§ 3, Ord. 2755, eff. April 4, 2002)

C) SEC. 6-7.203. RADIOACTIVE WASTES.

It is unlawful for a user to discharge, or cause to be discharged, any radioactive waste into the sewerage system except:

(a) When the user is authorized to use radioactive materials by the State Department of Health Services or other governmental agency empowered to regulate the use of radioactive materials;

(b) When the radioactive waste is discharged in strict conformity with current California Radiation Control Regulations as set forth in Title 17 of the Cal. Code of Regulations;

(c) When the user is in compliance with all rules and regulations of all other applicable regulatory agencies; and

(d) When an industrial wastewater permit has been obtained from the City.

(§ 3, Ord. 2755, eff. April 4, 2002)

D) SEC. 6-7.204. GARBAGE GRINDERS.

The installation of any garbage grinder with a motor of one and one-half (1½) horsepower or greater shall be subject to the review and approval of the Administrator. Such grinders must shred the waste to a degree that all particles are carried freely under normal flow conditions prevailing in the sewerage system or pass through a three-eighth (3/8) inch screen.

(§ 3, Ord. 2755, eff. April 4, 2002)

E) SEC. 6-7.205. HAULED WASTES.

No user shall discharge wastewater delivered by vehicular transport, rail car, or dedicated pipeline directly or indirectly to the sewerage system except where authorized by the Administrator. Discharge of chemical toilet wastes from airplanes and mobile recreation units into the sewer shall be permitted only at locations specified by the Administrator. Discharge of hauled wastes from septic tanks or cesspools, or any source other than chemical toilet wastes, directly or indirectly into the sewerage system, shall be prohibited. Users seeking a domestic waste hauler permit shall complete and file an application with the IEUA.

(§ 3, Ord. 2755, eff. April 4, 2002)

F) SEC. 6-7.206. WATER TREATMENT DEVICES.

It is unlawful for any person to install, replace, enlarge, or operate any device which is used for treating all or part of the water supply, if the volume of the ion-exchange resin or other similar material used for softening or treating the water supply exceeds one (1) cubic foot, and such device, in any phase of its use or servicing, discharges to the sewerage system wastewater which does not meet the City of Ontario's discharge limits. Any person installing or operating any water treatment device within the City limits shall make such device and any information regarding its operation

accessible to City personnel for inspection. The Administrator may approve a device which does not meet the above size limitation provided that the disposal of any wastewater brine generated by such device, is done by some lawful means other than being discharged to the public sewer, storm drain, or ground. For the purposes of this chapter, the combined capacity of multiple units installed to treat water at the same premises shall be considered as a single apparatus. This section shall not apply to any apparatus which is regenerated off-site by a water conditioning company.

(§ 3, Ord. 2755, eff. April 4, 2002)

G) SEC. 6-7.207. MEDICAL WASTES.

(a) No user shall discharge solid wastes from hospitals, clinics, offices of medical doctors, convalescent homes medical laboratories or other medical facilities to the sewerage system including, but not limited to, hypodermic needles, syringes, instruments, utensils or other paper and plastic items of a disposable nature except where prior written approval for such discharges is given by the Administrator.

(b) The City shall have the authority to require that any discharge of an infectious waste to the sewer be rendered non-infectious prior to discharge if the infectious waste is deemed to pose a threat to the public health and safety, or will result in any violation of applicable waste discharge requirements.

(§ 3, Ord. 2755, eff. April 4, 2002)

H) SEC. 6-7.208. SPENT SOLUTIONS AND SLUDGES.

Spent solutions, sludges, and materials of quantity or quality in violation of, or prohibited by this chapter, or any permit issued under this chapter must be disposed of in a legal manner at a legally acceptable point of disposal as defined by the City or appropriate Regulatory Agency. All waste manifests shall be retained for a minimum of three (3) years and made available to the City upon request.

(§ 3, Ord. 2755, eff. April 4, 2002)

I) SEC. 6-7.209. DILUTION.

(a) Except where authorized to do so by an applicable pretreatment standard or requirement, it is unlawful for any user to increase the use of process water or dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment requirement. Whenever dilution is authorized, the Administrator may impose mass limitations on the user.

(b) When a wastestream regulated by a Categorical Standard is combined prior to treatment with other wastestreams, either regulated or non-regulated, the Administrator shall apply a combined wastestream formula to calculate an alternate discharge limit.

(§ 3, Ord. 2755, eff. April 4, 2002)

J) SEC. 6-7.210. BYPASS.

(a) Bypass is prohibited unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

(3) The user submitted notices as required under subsection (b) of this section.

(b) If a user knows in advance of the need for a bypass, the user shall submit prior notice to the Administrator, at least ten (10) days prior to the date of the anticipated bypass. After considering its potential adverse effects, an anticipated bypass may be approved by the Administrator if the three conditions that are listed in subsection (a) of this section, are met.

(c) In case of an unanticipated bypass that causes or may cause a violation of an industrial wastewater permit or any applicable Pretreatment Standard, the user shall notify the Administrator and IEUA pursuant to § 6-7.509.

(§ 3, Ord. 2755, eff. April 4, 2002)

K) SEC. 6-7.211. PROHIBITED DISCHARGE LOCATIONS.

(a) No user, except City of Ontario personnel involved in maintenance functions of the sewerage system, shall discharge any wastewater directly into a manhole or other opening in a sewer other than through an approved building sewer, unless approved by the Administrator upon written application by the user and payment of any applicable fees and charges established herein.

(b) No user shall circumvent or obviate the intent or purpose of this chapter by discharging, or causing to be discharged, into any storm drain, stormwater channel, stormwater drainage system facility, or natural watercourse, whether currently carrying water or not, or into any pipe, public street, or waterway leading to such drain, channel, facility, or natural watercourse, any material, waste, or wastewater, not including unpolluted water, which is prohibited or restricted as to its discharge into the public sewer system.

(c) No user shall deposit or discharge into any sump which is not impermeable or into any pit or well, or onto the ground:

(1) Acids or caustics, whether neutralized or not;

(2) Excessively saline wastes (electrical conductivity greater than 2,000 umhos/cm);

(3) Any material, waste, or wastewater, which by seeping underground or by being leached or by reacting with soil is detrimental to the surface or ground water; and

(4) Violates waste disposal requirements, waste discharge requirements, as adopted by the Regional Water Quality Control Board, Santa Ana Region, State Water Resources Control Board, the Department of Environmental Health Services, the Environmental Protection Agency, or any other Regulatory Agency with appropriate jurisdiction.

(§ 3, Ord. 2755, eff. April 4, 2002)

L) SECTION. 6-7.212. LOCAL DISCHARGE LIMITS.

(a) Except when other limits are established in the user's industrial wastewater permit, or where more restrictive limits are imposed by Federal categorical pretreatment standards, it is unlawful to discharge wastewater to the public sewer that exceeds the quantities below and/or Title 40 of the Code of Federal Regulations (the more stringent regulations apply) or which will result in the inability of the POTW effluent to meet the wastewater discharge requirements of the NPDES permit. Modifications of the local limits may be necessary to meet the requirements for discharge to the POTW or for basin groundwater recharge.

Constituents	Local Limits (mg/L)	Type of Limit
Cadmium	2.8	Daily maximum
Chromium	60.0	Daily maximum
Copper	45.0	Daily maximum
Cyanide	1.2	Daily maximum
Lead	14.0	Daily maximum
Nickel	45.0	Daily maximum
TDS	800/550*	Daily maximum
Zinc	50.0	Daily maximum
pH	Between 5.0 and 12.5	Instantaneous
* Existing user/new user		

(b) Wastewater discharged to the sewerage system by a categorical industrial user shall be limited to the stricter of the discharge limits listed under subsection (a) of this section, and/or Title 40 of the Code of Federal Regulations for applicable categorical standards.

(c) The Administrator may specify a mass limit for any pollutant in the user's industrial wastewater permit. Any mass limit shall be based on the local discharge limits or Federal

categorical pretreatment standards, whichever is stricter, and the user's average daily wastewater discharge. The average daily wastewater discharge shall be based on the previous twelve (12) months of operation or other representative data. The Administrator may revise the mass limit previously established in the user's permit at any time, based on the user's current or anticipated operating data, and the City's ability to comply with the Regional Contract and the requirements of any other regulatory agency. The excess use of water to establish an artificially high flow rate for mass emission rate determination is prohibited.

(d) In order for the POTW to remain in uninterrupted compliance with mandated changes in Federal, State or local wastewater pretreatment requirements, the City Council shall adopt any required changes to the City's wastewater discharge local limits.

(e) The Administrator may specify an Electrical Conductivity limit of 1,280 umhos/cm in lieu of the TDS limit listed under subsection (a) of this section, if there is reason to believe that there may be significant interference with the analytical procedure to determine TDS. (The term "TTO" shall mean total toxic organics, which is the summation of quantifiable values greater than 0.01 milligrams per liter for all toxic organics listed under 40 CFR Chapter I, Subchapter N).

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 2, Ord. 2913, eff. January 1, 2010)

3. ARTICLE 3. PERMITS

A) SEC. 6-7.301. INDUSTRIAL WASTEWATER PERMIT.

(a) To provide for the maximum public benefit for the use of the City sewerage system, written authorization to use said facilities is required. This written authorization shall be in the form of a discharge permit. No vested fight shall be given by issuance of permits provided for in this section. The City reserves the right to establish by Municipal Code or in wastewater discharge permits, more stringent standards or requirements on discharges to the sewerage facilities if deemed appropriate by the Administrator.

(b) Industrial waste permit types. Industrial waste permits will be issued in one (1) of four (4) forms and dependent on the type of discharger, volume, and discharge characteristics. The four (4) discharge permits types are:

(1) Class I Wastewater Discharge Permit is issued to:

(i) Any user subject to Federal Categorical Pretreatment Standards;

(ii) Any user having industrial flows greater than twenty-five thousand (25,000) gallons per day.

(iii) Any user that has a reasonable potential for adversely affecting the operation of the wastewater treatment plant or for violating any pretreatment standard or requirement.

(2) Class II Wastewater Discharge Permit is issued to:

(i) Any user discharging wastewater other than domestic waste only;

(ii) Has a reasonable potential to adversely affect the City of Ontario collection system or POTW; and

(iii) Is not required to obtain a Class II permit.

(3) Class IV Industrial Wastewater Permit for any user subject to Categorical Pretreatment Standards, does not discharge industrial waste, and only discharges domestic waste into the sewerage system.

(4) Temporary Industrial Wastewater Discharge Permit is issued to:

(i) Any user discharging wastewater temporarily from industrial operations;

(ii) Any user who has a discharge of unpolluted water whereby no alternative method of disposal is available.

(c) No user requiring a permit shall discharge wastewater without obtaining a wastewater discharge permit.

(d) All users proposing to discharge directly or indirectly into the sewerage system shall obtain a wastewater discharge permit by filing an application pursuant to § 6-7.302 and paying the applicable fees pursuant to § 6-7.704.

(e) All permits shall be expressly subject to all provisions of this chapter and all other regulations, charges for use, and fees established by the City. Wastewater discharge permit conditions shall be enforced by the City of Ontario and Inland Empire Utilities Agency in accordance with this chapter and applicable State and Federal regulations.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 12, Ord. 2816, eff. December 1, 2005)

B) SEC. 6-7.302. APPLICATIONS.

(a) Users seeking to obtain an industrial wastewater discharge permit shall complete and file with the City, prior to commencing discharge, an application and survey on the forms prescribed by the City. The applicant may be required to submit, in units and terms appropriate for evaluation and in sufficient time to allow proper and thorough evaluation, the following information:

(1) Name, address, S.I.C. number(s) and/or NAISC number(s), and a description of the manufacturing process or service activity;

(2) (Whichever is applicable) name, address of any and all principals/owners/major shareholders of company; Articles of Incorporation; most recent Report of the Secretary of State; business license;

(3) Volume of wastewater to be discharged;

(4) Name of individual who can be served with notices other than officers of corporation;

(5) Name and address of property owner, landlord and/or manager of the property;

(6) Wastewater constituents and characteristics as required by the City. These constituents and characteristics shall be determined by a certified laboratory selected by the discharger and acceptable to the City;

(7) Time and duration of discharge;

(8) Number of employees and average hours of work per employee per day;

(9) Waste minimization and water conservation practices;

(10) Production records, if applicable;

(11) Waste manifests, if applicable;

(12) Tons of cooling tower capacity, if applicable;

(13) EPA Hazardous Waste Generator Number, if applicable;

(14) Any other information as specified.

(b) Applicants may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, pretreatment equipment, and appurtenances by size, location, and elevation for evaluation.

(c) Applicants may also be required to submit information related to the applicant's business operations, processes, and potential discharge as may be requested by the City to properly evaluate the permit application.

(d) After evaluation of the data, the City and Inland Empire Utilities Agency may issue a wastewater discharge permit, subject to terms and conditions set forth in this chapter and as otherwise determined by the Administrator to be appropriate to protect the City's sewerage facilities.

(e) The permit application may be denied if the applicant fails to establish to the City's satisfaction, that adequate pretreatment equipment is included within the applicant's plans to ensure that the discharge limits will be met or if the applicant has, in the past, demonstrated an inability to comply with applicable discharge limits.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 13, Ord. 2816, eff. December 1, 2005)

C) SEC. 6-7.303. PERMIT CONDITIONS.

(a) All industrial wastewater discharge permits shall be subject to all provisions of this chapter, all other applicable regulations, and user charges and fees established by the City. In addition, all permits may be subject to the following:

(1) Limits on the average and maximum wastewater constituents, characteristics and mass limits. The Administrator may impose mass emission rate limitations on users where the imposition of such limitations is appropriate;

(2) Limits on the average and maximum rate and time of discharge requirements for flow regulations and equalization;

(3) Requirements for the installation, operation, and maintenance of a pretreatment system and equipment;

(4) Requirements to operate and maintain the pretreatment system using a qualified and certified operator as determined by the Administrator;

(5) Requirements for installation, operation, and maintenance of monitoring, monitoring/ surveillance facilities, pH control, and/or flow monitoring;

(6) Specifications for monitoring programs which may include sampling locations, frequency of sampling, numbers and types of samples, standards for tests and reporting schedules;

(7) Compliance time schedules;

(8) Requirements for submission of technical reports, discharge reports, production data, and/or waste manifests;

(9) Requirements for maintaining and retaining industrial records relating to wastewater discharge as specified by the City. These records shall be made available to City and IEUA personnel upon request;

(10) Requirements for notification of the City of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the City's sewerage system;

(11) Requirements for notification of slug discharges;

(12) Requirements to self-monitor;

(13) Requirements to maintain various discharge logs;

(14) Requirements to inventory key pretreatment system equipment;

(15) Requirements to separate all domestic wastewater from bathrooms, showers, drinking fountains, from all industrial wastewater until the industrial wastewaters have passed through any required pretreatment and monitoring facilities;

(16) Requirements to consolidate all industrial flows into one location for purposes of monitoring and determining compliance with the permit and this chapter;

(17) Requirements to notify the Administrator, up to forty-eight (48) hours prior to the commencement of any batch discharge. Notification shall include the date, time and location of proposed batch discharge;

(18) Other conditions as deemed appropriate by the Administrator to ensure compliance with this chapter.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 14, Ord. 2816, eff. December 1, 2005)

D) SEC. 6-7.304. DURATION.

An industrial wastewater permit shall be issued for a specified time period, not to exceed five (5) years. Under special circumstances, the Administrator may at his or her option extend the permit duration for an additional time period not to exceed one year. The user shall apply for renewal of the permit no more than one hundred and twenty (120) or later than sixty (60) days prior to the expiration date of the permit. After submitting an application for renewal, the permit shall automatically be extended until the Administrator makes a determination on the application for renewal. Any existing user who is discharging industrial wastewater to the public sewer without a valid industrial wastewater permit shall apply for a permit within ten (l0) working days from the date of notification of the permit requirement.

(§ 3, Ord. 2755, eff. April 4, 2002)

E) SEC. 6-7.305. CHANGE OF PERMIT CONDITIONS.

(a) The user shall submit to the Administrator, within a reasonable time, any documents or records maintained by the user and requested by the Administrator to determine whether cause exists for rescinding, modifying, revoking, reissuing the permit, or to determine compliance with the permit requirements.

(b) The terms and conditions of an issued permit may be subject to modification and change in the determination of the City and IEUA during the life of the permit for good cause, including, but not limited to, the following reasons:

(1) Changes in the user's current or anticipated pretreatment system operating data;

(2) Changes in the City's sewerage system's and IEUA's treatment plant current or anticipated operating data;

(3) Changes in the requirements of regulatory agencies which affect the City and IEUA's treatment plant;

(4) To incorporate any new or revised federal, state, or local pretreatment standards or requirements;

(5) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the date the wastewater discharge permit was issued;

(6) To reflect any change in the City sewerage system that requires either a temporary or permanent reduction or elimination of the authorized discharge;

(7) In response to information indicating that the permitted discharge poses a threat to the City's sewerage system, its personnel, IEUA's treatment plant, or the receiving waters;

(8) Violation of any terms or conditions of the industrial wastewater discharge permit;

(9) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;

(10) Revision of or a grant of variance from Categorical Pretreatment Standards pursuant to 40 CFR 403.13;

(11) To correct typographical or other errors in the industrial wastewater discharge permit; or

(12) To reflect a transfer of the facility ownership or operation to a new owner or operator as allowed by this chapter.

(c) The Administrator shall inform the user of any proposed changes or new conditions in his permit and shall include a reasonable period of time for compliance.

(d) The user shall have the right to file, with the Administrator, a written request to reduce monitoring and/or reporting requirements or to have other permit conditions modified or changed. Any request by the user to modify the user's industrial wastewater permit shall be processed, if approved by the Administrator, after payment of applicable fees and charges.

(e) The Administrator may deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the public sewer by industrial users where such contributions do not meet applicable pretreatment standards and requirements or where such contributions would cause the City to violate the Regional Contract, or the POTW to violate its NPDES permit.

(f) All permitted discharges must commence within one hundred eighty (180) days from the effective date of the permit or the permit may be deemed void.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 15, Ord. 2816, eff. December 1, 2005)

F) SEC. 6-7.306. NON-TRANSFERABILITY.

Industrial wastewater discharge permits are issued to a specific user for a specific operation at a particular location. Such permits shall not be reassigned, transferred or sold.

(§ 3, Ord. 2755, eff. April 4, 2002)

4. ARTICLE 4. FACILITIES

A) SEC. 6-7.401. DRAWING SUBMITTAL REQUIREMENTS.

Upon request by the City:

(a) Applicants or users may be required to submit three (3) copies of detailed facility plans. The submittal shall be in a form and content acceptable to the City for review of existing or proposed pretreatment facilities, spill containment facilities, monitoring facilities, metering facilities, and operating procedures. The review of the plans and procedures shall in no way relieve the user of the responsibility of modifying the facilities or procedures in the future, as necessary to produce an acceptable discharge and to meet the requirements of this chapter or any requirements of other Regulatory Agencies.

(b) The drawing shall depict as a minimum, the manufacturing process (waste generating sources), spill containment, monitoring or metering facilities, and pretreatment facilities.

(c) The applicant or user shall submit a schematic drawing of the pretreatment facilities, piping and instrumentation diagram, and wastewater characterization report.

(d) Users and applicants may also be required to submit for review site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, and appurtenances by size, location, and elevation for evaluation.

(e) The City may require the drawings be prepared by a California Registered Chemical, Mechanical, or Civil Engineer.

(§ 3, Ord. 2755, eff. April 4, 2002)

B) SEC. 6-7.402. PRETREATMENT FACILITIES.

(a) An industrial wastewater pretreatment facility or device may be required to restrict or prevent the discharge to the sewerage system of certain wastewater constituents, or to accomplish any pretreatment result required by the Administrator.

(b) A pretreatment facility which requires engineering design shall have plans prepared and signed by an engineer of suitable discipline licensed in the State of California. The user shall

submit to the Administrator, detailed plans showing the pretreatment facilities and operating procedures for review.

(c) The user shall establish and maintain a daily operation and maintenance log for any pretreatment system. The daily operation and maintenance log shall contain, at a minimum, the following information:

(1) The name of the user responsible for the operation of the pretreatment system, hours of work, and telephone number;

(2) Date, time and a description of all routine maintenance and calibration of the system;

(3) Date and time of any major repair and down time on the system;

(4) The emergency or backup system or program instituted while the pretreatment system was out of operation; and

(5) The estimated daily operational efficiency of the pretreatment system and any other information which may be required to assure compliance with pretreatment requirements.

(§ 3, Ord. 2755, eff. April 4, 2002)

C) SEC. 6-7.403. MONITORING FACILITIES.

(a) Each industrial user shall install and maintain a monitoring facility for each point-source to the sewerage system. The monitoring facility and its location are subject to approval by the Administrator.

(b) All proposed construction of commercial and/or industrial buildings shall include plans to install a surveillance/monitoring facility for each point-source to the sewerage system. The surveillance/monitoring facility and its location are subject to approval by the Administrator or in accordance with the City Standard Drawings.

(c) When more than one user can discharge into a common private sewer, the Administrator may require installation of a separate monitoring facility for each user. Also, when in the judgement of the Administrator, there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Administrator may require that a separate monitoring facility be installed for each segregated wastestream. This may include, but may not be limited to, segregation of Categorical process wastestreams from additional wastestreams not subject to categorical standards.

(d) City standard drawings establish design requirements, applicable construction standards, safety devices and specifications for surveillance/monitoring facilities. The design plans for any required or surveillance/monitoring facility shall be prepared and signed by an engineer registered in the State of California. Such plans shall be reviewed and must be approved by the Administrator prior to any construction of said facility. The approval of the design of any facility meeting the

requirements set forth in this section or any recommendation or requirements made by the Administrator, shall not relieve the user from the responsibility of meeting the requirements of this chapter, and shall not impute any liability to the City for the adequacy of such facility under the actual conditions of use.

(e) If explosive or flammable substances are stored or used on-site, and such substances have the potential of entering the sewerage system, the user may be required to install, operate and maintain a combustible gas monitoring system and facilities to divert the entire wastewater flow to a holding tank when the combustible gas level is greater than twenty percent (20%) of the lower explosive limit. These facilities will be provided and maintained at the user's own cost and expense. A user so notified shall provide detailed gas monitoring and wastewater diversion plans, including facilities and operating procedures, to the Administrator for review.

(f) If required by the City in writing, the user shall submit construction plans and/or instrumentation for approval by the City of the following:

(1) A pH-recording instrument with a strip chart to record all flows on a twenty-four (24) hour continuous basis;

(2) A conductivity meter with a strip chart to record all flows on a twenty-four (24) hour continuous basis;

(3) A flume, weir, flow meter or similar device approved by the City and suitable to measure the non-domestic flow rate and total volume on a continuous basis. The monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user. All devices used to measure wastewater flow and quality shall be calibrated at a frequency determined by the Administrator to ensure their accuracy. The costs of installing and maintaining such device(s) shall be at the sole expense of the user.

(g) Construction of any monitoring facility or device shall be completed within a time period established by the Administrator.

(h) Unrestricted access to the monitoring facility shall be available to authorized personnel of the City and IEUA at all times. Unreasonable delays in allowing City or IEUA personnel access to the user's premises shall be a violation of this chapter.

(i) Any temporary or permanent obstruction to safe and easy access to the monitoring facility or surveillance/monitoring facility shall be promptly removed by the user at the written or verbal request of the Administrator and shall not be replaced. The costs of clearing such access shall be borne by the user.

(j) A monitoring facility or surveillance/ monitoring facility may be required to include a security closure that can be locked by the City during sampling or upon termination of service.

(k) A monitoring facility or surveillance/ monitoring facility shall be located so that samples can be taken immediately downstream from the pretreatment facilities, if any exist, or where no treatment is employed, immediately downstream from the user's wastestream.

(l) Any sample taken from the monitoring facility shall be considered representative of the user's discharge.

(m) Users are responsible for cleaning and maintaining the monitoring facility and equipment. Oils, solids, and other debris removed from the monitoring facility shall not be discharged to the sewer.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 16, Ord. 2816, eff. December 1, 2005)

D) SEC. 6-7.404. INTERCEPTORS.

(a) A food service establishment discharging grease wastes which, under the conditions existing in the downstream sewers, could cause or threaten to cause stoppage or grease accumulations, shall install an approved grease and oil interceptor and regularly maintain it so as to prevent excessive discharges of grease and oil into the sewerage system. The costs of installing and maintaining such device(s) shall be at the sole expense of the user. Any user who operates, owns or maintains a food service establishment shall cause all floor drains, floor sinks, sinks, waste container wash racks, dishwashers, and garbage grinder to be directed through the grease and oil interceptor, and shall keep all domestic wastewater from restrooms, showers, drinking fountains, and condensate (i.e. ice melt, air conditioning) separate from the food service wastewater until the food service wastewater has passed through all necessary pretreatment equipment, devices, or monitoring stations.

(b) Each vehicle wash, vehicle or equipment servicing, industrial transportation and/or cleaning facility shall install an appropriate sand, grease and oil interceptor of a size and design approved by the Administrator. Wastewater arising from the cleaning, servicing and repair of vehicles shall pass through this interceptor before discharge to the sewerage system.

(c) If an interceptor is not adequate under the conditions of use, one which is effective in accomplishing the intended purpose shall be constructed by the user within a time period established by the Administrator.

(d) The design plans for any required interceptor not included in the Plumbing Code or City standard drawings shall be prepared and signed by an engineer registered in the State of California and meet the drawing submittal requirements set forth in § 6-7.401. Such plans shall be reviewed and must be approved by the Administrator prior to any construction of said device.

(e) The interceptor required by this chapter shall be watertight, structurally sound, durable, properly maintained, and easily accessible for inspection and cleaning to assure that the accumulation of sand, oil or grease does not impair the efficiency of the interceptor or pass through the device.

(f) A user who is required to install and maintain an interceptor shall keep maintenance records and hauler's manifests for a minimum of three (3) years. These records shall be made available to the Administrator upon request. Each vehicle wash and food service facility shall be responsible for the costs of installing, inspecting, pumping, cleaning and maintaining its grease interceptor. Cleaning and maintenance must be performed when the total volume of captured grease and solid material displaces more than twenty percent (20%) of the total volume of the unit. All vehicle wash and food service facilities that have grease interceptors shall utilize a licensed grease hauler who has been permitted for pumping services. Pumping services shall include the initial complete removal of all contents, including floating materials, wastewater and bottom sludge and solids from the interceptor. The return of gray water back into the grease interceptor from which the wastes were removed is allowable, provided that grease and solids are not returned to the interceptor and further provided that the grease hauler has written authorization from the vehicle wash or food service facility to return the gray water. Grease interceptor cleaning shall include scraping excessive solids from the walls, floors, baffles and all pipe work. The grease hauler shall wait at least twenty (20) minutes to allow the interceptor waste to separate in the truck tank before attempting to re-introduce the gray water to the interceptor. It shall be the responsibility of each vehicle wash or food service facility to inspect its grease interceptor during the pumping procedure to ensure that the interceptor is properly cleaned out and that all fittings and fixtures inside the interceptor are in working condition and functioning properly.

(g) Each vehicle wash or food service facility shall determine the frequency at which its grease interceptor(s) shall be pumped according to the following criteria:

(1) When the floatable grease layer exceeds six inches (6") in depth as measured by an approved dipping method;

(2) When the settleable solids layer exceeds eight inches (8") in depth as measured by an approved dipping method;

(3) When the total volume of captured grease and solid material displaces more than twenty percent (20%) of the capacity of the interceptor as calculated using an approved dipping method; or

(4) When the interceptor is not retaining/capturing oils and greases; or the removal efficiency of the device, as determined through sampling and analysis, is less than eighty percent (80%).

(h) Periodic inspection of the interceptor may be performed to determine compliance with this section. The owner and/or user of the property shall be subject to enforcement actions if such user fails to maintain the interceptor and/or keep adequate records.

(i) Conditional waivers for the grease and oil interceptor or sand, grease and oil interceptor requirement shall be granted by the Administrator for food service establishments or vehicle wash, vehicle or equipment servicing, industrial transportation and/or cleaning facility determined not to have adverse effects on the City's sewerage system or the POTW. Conditional waivers may be revoked for the following reasons:

(1) Changes in menu;

(2) Falsification of information submitted;

(3) Change in operating hours;

(4) Changes in equipment used;

(5) Changes in the number of vehicles washed; or

(6) As determined by the Administrator to have adverse effects on the City's sewerage system or the POTW.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 4, Ord. 2806, eff. January 21, 2005)

E) SEC. 6-7.405. SECONDARY SPILL CONTAINMENT.

(a) Upon written notification by the Administrator, the user shall provide secondary spill containment for stored chemicals or other substances which are prohibited or regulated by this chapter and which have the potential of entering the public sewerage system. The user so notified shall submit to the Administrator detailed secondary spill containment plans, including the facility's location, dimensions, and type and volume of material or waste stored.

(b) Drawings shall be submitted in accordance with § 6-7.401.

(c) The containment system shall be designed and operated as follows:

(1) The base shall be free of cracks or gaps, and shall be sufficiently impervious to contain leaks, spills, or precipitation until the collected material is detected and removed;

(2) The base shall be sloped or the containment system shall be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids and precipitation;

(3) The containment system shall have sufficient capacity to contain precipitation from, at least a twenty-four (24) hour, twenty-five (25) year storm plus ten percent (10%) of the aggregate volume of all containers or the volume of the largest container, whichever is greater plus a freeboard of at least three (3) inches. Containers that are not used to store chemicals in a liquid form need not be considered in this determination;

(4) Stormwater runoff from adjacent areas shall be prevented from flowing into the containment system;

(5) Spilled or leaked waste and accumulated precipitation shall be removed from the sump or collection area in as timely a manner as is necessary to prevent overflow of the collection

system. Unless otherwise approved by the Administrator, all chemicals or wastes discharged within the collection area shall be disposed of appropriately and not discharged to the sewerage system or the ground.

(d) The user shall submit to the Administrator a written statement, signed by a professional civil engineer registered in California, indicating that the containment system is suitably designed to achieve the requirements of this section.

(e) Construction shall be completed within a time period established in a compliance schedule.

(§ 3, Ord. 2755, eff. April 4, 2002)

5. ARTICLE 5. MONITORING, REPORTING, NOTIFICATION AND INSPECTION REQUIREMENTS

A) SEC. 6-7.501. MONITORING.

(a) Periodic measurements of flow rates, flow volumes, and wastewater characteristics for compliance with any limitations or requirements specified in the industrial wastewater permit or this chapter shall be performed using appropriate procedures set forth in 40 CFR Part 136 and §§ 403.12(e), 403.12 (g), 403.12(h) and 122.45(c). Analyses of the constituents and characteristics shall be by a laboratory acceptable to the City, and at the sole expense of the permittee.

(b) A user with large fluctuations in quantity or quality of wastewater may be required to provide continuous monitoring for some of the wastewater characteristics.

(c) Routine monitoring and sampling shall be conducted at the City-approved monitoring facility, and during a period of normal business operations and wastewater flows of the user.

(d) Grab and/or composite samples of the industrial wastewater shall be properly obtained, preserved, and analyzed for the specified wastewater constituents by a state-certified laboratory.

(e) When requested by the Administrator or the user, a split sample will be provided to the other party to verify the levels of constituents in the wastewater.

(f) It shall be unlawful, and the user shall be held financially responsible for any damage to, breakage of, or tampering with, any laboratory or City monitoring equipment while it is in use either in, on, or next to the monitoring facility of the user.

(g) The City or IEUA may inspect and sample the wastewater generating and disposal facilities of any user to ascertain whether the intent of this chapter is being met and the user is complying with all requirements. Where a user has security measures in force, the user shall make necessary arrangements so that, upon presentation of suitable identification, personnel from the City, IEUA or laboratory will be permitted to enter without delay for the purpose of performing their specific responsibilities.

(h) The City or IEUA shall have the right to set up on the user's property or other locations as determined by the City, such devices as are necessary to conduct sampling or metering operations.

(i) Results from all samples taken from the designated monitoring point shall be reported to the City.

(j) If sampling by a user indicates a violation, the user shall notify the City within twenty-four (24) hours of becoming aware of the violation.

(k) If a user monitors any pollutant more frequently than required by the City, the results of the monitoring shall be included in the periodic reports on continued compliance.

(l) All laboratory reports shall be accompanied by the corresponding chain-of-custody log. The chain-of-custody shall contain the following information: sample source; date, time and method of sampling and sample preservation; type of container used, sampler identification, results of any field measurement or observation, and any other information related to sample handling.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 17, Ord. 2816, eff. December 1, 2005)

B) SEC. 6-7.502. PLANS AND REPORTING.

The City may require reports for self-monitoring of wastewater constituents and characteristics of the discharger needed for determining compliance with any limitation, or requirements as specified in the user's permit, Federal regulations, or this chapter. These reports include:

(a) Solvent Management Plans;

(b) Baseline Monitoring Reports (BMRs);

(c) Ninety (90) Day Compliance Reports;

(d) Compliance Schedules;

(e) Progress Reports;

(f) Slug Discharge Control Plans;

(g) Periodic Reports on continued compliance;

(h) Notification of the Discharge of Hazardous Waste;

(i) Bypass notification;

(j) Other reports as required by the City or IEUA.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 18, Ord. 2816, eff. December 1, 2005)

C) SEC. 6-7.503. SOLVENT MANAGEMENT PLAN (SMP).

(a) Except where other alternative categorical monitoring requirements apply, a user who is required to monitor for TTO may submit the following written and signed certification in lieu of monitoring for such toxic organics:

"Based on my inquiry of the user or users directly responsible for managing compliance with the permit limitation (or pretreatment standard) for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no discharge of toxic organics into the public sewer has occurred since filing of the last semi-annual compliance status report. I further certify that this facility is implementing the Solvent Management Plan (SMP) submitted to the City of Ontario."

The SMP shall specify, to the satisfaction of the Administrator, toxic organic compounds used on- site, the method of their disposal, and the measures taken to ensure that those compounds do not spill, leak, or in any other way enter into the sewerage system.

(b) An updated SMP shall be submitted by the user with the first monitoring report of the year. The SMP certification statement shall be submitted by the user with each monitoring report during the year.

(c) The user requesting the certification alternative shall monitor for only those toxic organic compounds, which would reasonably be expected to be discharged to the public sewer.

(d) The SMP is subject to approval in writing by the Administrator.

(e) Any user with an approved SMP shall still be monitored for compliance with the TTO standard by the City.

(§ 3, Ord. 2755, eff. April 4, 2002)

D) SEC. 6-7.504. BASELINE MONITORING REPORTS (BMRS).

Baseline Monitoring Reports (BMRs) are required of significant industrial users when the EPA issues new categorical standards that apply to the discharger and must contain information as stipulated in 40 CFR 403.12(b).

(§ 3, Ord. 2755, eff. April 4, 2002)

E) SEC. 6-7.505. NINETY (90) DAY COMPLIANCE REPORTS.

Ninety (90) Day Compliance Reports are required of significant industrial users following the date for final compliance with an applicable categorical standard or for new sources, following commencement of wastewater discharge. Ninety (90) Day Compliance Reports must contain information stipulated in 40 CFR 403.12(b)(4-6).

(§ 3, Ord. 2755, eff. April 4, 2002)

F) SEC 6-7.506. SLUG DISCHARGE CONTROL PLAN.

Upon written notification by the Administrator, the user shall submit a Slug Discharge Control Plan. The plan shall be updated every two (2) years and shall contain at a minimum, the following:

(a) A description of discharge practices, including non-routine batch discharges;

(b) A description of stored chemicals;

(c) Procedures for immediately notifying the City of any accidental or slug discharge, as required by § 6-7.509; and

(d) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to; inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment or emergency response.

(§ 3, Ord. 2755, eff. April 4, 2002)

G) SEC 6-7.507. PERIODIC REPORTS ON CONTINUED COMPLIANCE.

The City of Ontario may require reports for self- monitoring of wastewater constituents and characteristics of the discharger needed for determining compliance with any limitation, or requirements as specified in the user's permit, Federal regulations, or this chapter. Monitoring reports of the analyses of wastewater constituents and characteristics shall be in a manner and form approved by the City and shall be submitted upon request of the City. When applicable, the self-monitoring requirements and frequency of reporting shall be set forth in the user's permit. All sample analyses must follow the requirements set forth in 40 CFR 136. The analyses of wastewater constituents and characteristics and the preparation of the monitoring report shall be at the sole expense of the user. Failure by the user to perform any required monitoring and/or submit monitoring reports required by the City shall be a violation of this chapter, may result in a determination that the user is in significant non-compliance, and be cause for the City to initiate all necessary tasks and analyses to determine the wastewater constituents and characteristics for any limitations and requirements specified in the user's permit or in this chapter. The user shall be responsible for any and all expenses of the City in undertaking such monitoring analyses and preparation of reports.

(§ 3, Ord. 2755, eff. April 4, 2002)

H) SEC. 6-7.508. POLLUTION PREVENTION PLAN.

A user may be required, pursuant to Cal. Water Code § 13263.3, to implement a pollution prevention plan if any of the following apply:

(a) A user is determined to be a chronic violator or the State Board, Regional Board, or the City determines that pollution prevention could assist in achieving compliance;

(b) A user significantly contributes, or has the potential to significantly contribute, to the creation of a toxic hot spot as defined in Cal. Water Code § 13391.5;

(c) The State Board, a Regional Board, or a POTW determines pollution prevention is necessary to achieve a water quality objective.

(d) A Pollution Prevention Plan shall include all of the following:

(1) An analysis of one (1) or more of the pollutants, as directed by the State Board, a Regional Board, the City, or IEUA, that the user discharges into the sewerage system, a description of the sources of the pollutants, and a comprehensive review of the processes used by the user that result in the generation and discharge of the pollutants;

(2) An analysis of the potential for pollution prevention to reduce the generation of the pollutants, including the application of innovative and alternative technologies and any adverse environmental impacts resulting from the use of those methods;

(3) A detailed description of the tasks and time schedules required to investigate and implement various elements of pollution prevention techniques;

(4) A statement of the user's pollution prevention goals and strategies, including priorities for short-term and long-term action;

(5) A description of the user's existing pollution prevention methods;

(6) A statement that the user's existing and planned pollution prevention strategies do not constitute media pollution transfers unless clear environmental benefits of such an approach are identified to the satisfaction of the State Board, the Regional Board, the City, or IEUA and information that supports that statement;

(7) Proof of compliance with the Hazardous Waste Source Reduction and Management Review Act of 1989 (Article 11.9 (commencing with § 258244.12 of Chapter 6.5 of Division 20 of the Cal. Health & Safety Code) if the user is also subject to that Act;

(8) An analysis, to the extent feasible, of the relative costs and benefits of the possible pollution prevention activities;

(9) A specification of, and rationale for, the technically feasible and economically practicable pollution prevention measures selected by the discharger for implementation.

(e) The State Board, a Regional Board, the City or IEUA may require the user subject to a pollution prevention plan to comply with the pollution prevention plan developed by the user after providing the opportunity for comment at a public proceeding with regard to that plan and also to

comply with other requirements of the Clean Water Enforcement and Pollution Prevention Act of 1999.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 19, Ord. 2816, eff. December 1, 2005)

I) SEC. 6-7.509. NOTIFICATIONS.

(a) Accidental discharge.

(1) In the event the user is unable to comply with any of the permit conditions due to a breakdown of equipment, accidents caused by human error or acts of God, or the discharge will exceed the discharge limitations in the permit, the user shall notify the City and IEUA by immediately telephoning as soon as the user has knowledge of the incident:

City of Ontario: Utilities (909)395-2678 Monday-Friday 8:00 a.m. to 5:00 p.m.

Fire (909) 983-5911 All other hours.

Inland Empire Utilities Agency: POTW (909) 947-4131 Anytime.

(2) The user shall confirm the notification in writing as soon as possible, but no later than five (5) working days from the telephone notification. Written notification shall state the date of the incident, reasons for the discharge or spill, steps that were taken to immediately correct the problem, and steps being taken to prevent the problem from recurring.

(3) Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage or loss to the IEUA and/or the City or any other damage or loss to user or property; nor shall such notification relieve the user of any fees or other liability which may be imposed by this chapter or other applicable law.

(4) A notice shall be permanently posted on the user's employee bulletin board or other prominent place advising employees whom to call in the event of an accidental discharge, spill or slug loading. Users shall ensure that all employees who may cause such a discharge to occur are advised of the emergency notification procedure.

(b) Change to discharge. All users shall notify the City before making substantial changes to their process wastewater discharges. Substantial changes include:

(1) Operational flows, changes of + 20%;

(2) Pollutant loadings, changes of + 20%;

(3) Changes in the characteristics of their process flows;

(4) On-site plumbing; or

(5) Pretreatment procedures and/or facilities. All users shall notify the City a minimum of thirty (30) days prior to any planned changes. Upon notification, the Administrator may require that a new application be filed and a new permit obtained before discharging any waste involving the changed characteristics.

(c) Discontinued discharge.

(1) The user shall notify the Administrator at least ten (10) days prior to discontinuing its industrial wastewater discharge for more than thirty (30) days unless the user can demonstrate to the Administrator that it could not have known of the discontinued discharge.

(2) Within thirty (30) days of the discontinued discharge, the user shall remove the contents of all on-site sewers, sumps, floor drains, wastewater storage tanks, and/or pretreatment facilities in accordance with all applicable regulations. The contents shall not be discharged to the public sewer without prior written approval from the Administrator.

(3) If the user fails to clean up and remove the contents of its facilities to the satisfaction of the Administrator, such activities and the costs thereof shall also become the responsibility of the owner of the building and/or land.

(4) Failure of the user or the owner to promptly and satisfactorily clean up and remove the contents of all on-site sewers, sumps, floor drains, wastewater storage tanks, and/or pretreatment facilities shall subject the user and the owner of the building and/or land to any enforcement action authorized in this chapter.

(d) Hazardous waste discharge.

(1) The user shall notify the Administrator, the IEUA, the EPA Regional Waste Management Division Director, and State Hazardous Waste authorities in writing of any discharge into the sewerage system of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261.

(2) Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other).

(3) If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the sewerage system, the notification shall also contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months.

(4) Any notification under this chapter must be submitted only once for each hazardous waste discharged. Discharges are exempt from the requirements of subsection (a) of this section during a calendar month in which the discharge is no more than fifteen (15) kilograms of hazardous

wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharges of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.

(5) In the case of any new regulations under § 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as hazardous waste, the user must notify the Administrator, the IEUA, the EPA Regional Waste Management Division Director, and State Hazardous Waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

(6) In the case of any notification made under this chapter, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes.

(7) The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12(b), (d), and (e).

(e) Bypass. Bypass of industrial wastewater to the City sewerage system is prohibited. The City may take enforcement action against a user, unless the permittee submitted notices as required by § 6-7.509 or met conditions as specified in § 6-7.210.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 19, Ord. 2816, eff. December 1, 2005)

J) SEC. 6-7.510. SIGNATORY REQUIREMENTS.

All permit applications and reports required by this chapter under § 6-7.302 and Article 5 or 40 CFR 403.12 (1)(1-4) shall be signed by an authorized representative of the user. Any user signing such documents shall make the following certification in writing.

"I have personally examined and am familiar with the information submitted in the attached document, and I hereby certify under penalty of law that this information was obtained in accordance with Federal Pretreatment Requirements. Moreover, based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

(§ 3, Ord. 2755, eff. April 4, 2002)

K) SEC. 6-7.511. RECORD-KEEPING REQUIREMENTS.

(a) Each user subject to the Federal Pretreatment Requirements, or the provisions of this chapter, shall retain records on-site for all waste and wastewater generated, operation and maintenance logs for pretreatment systems, and industrial wastewater monitoring results for a minimum period of five (5) years. Said records shall be made available for inspection and copying by the Administrator at any time. During the course of litigation regarding the user, the City of

Ontario, or IEUA, the period of retention shall be extended until the subject of litigation is resolved.

(b) Information resulting from monitoring activities (including self-monitoring) required by said regulations shall include the following:

(1) Detailed description of the sample location;

(2) Dates and times during which the sample was taken;

(3) Method of sampling used, i.e. grab or composite;

(4) Name of the person who collected the sample;

(5) Date of the analysis;

(6) Identity and address of the laboratory who performed the analysis;

(7) Analytical method used and its detection limit;

(8) Quality control and quality assurance data associated with the batch of samples tested for the parameters analyzed;

(9) Results of the analysis; and

(10) Chain-of-custody form.

(c) Hauling records for waste and wastewater generated on-site shall include, at a minimum, the following information:

(1) Volume and a description of the waste hauled;

(2) Date the waste was hauled;

(3) Name and address of the hauler;

(4) Name and address of the facility receiving the waste or wastewater; and

(5) Manifest number.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 20, Ord. 2816, eff. December 1, 2005)

L) SEC. 6-7.512. PUBLIC ACCESS TO INFORMATION AND CONFIDENTIALITY.

(a) The Administrator shall maintain a data filing system in compliance with public information and confidentiality records and provide for the proper handling and filing of records and reports for the general administration of the pretreatment program.

(b) Any information in a user's file, which includes, but is not limited to, permits, permit applications, questionnaires, inspection reports and monitoring reports shall be available to the public or other governmental agency without restriction.

(c) Any request for public access to a user's file shall be in writing and shall include:

(1) Date of the review;

(2) Name and title of the reviewer;

(3) Reviewer's business name, address and telephone number;

(4) List of files to be reviewed; and

(5) Reason for review.

A copy of the written request to review a user's file may be sent by the Administrator to such a user. The Administrator may require an observer to be present while any file is being reviewed. The Administrator may also require that the reviewer furnish his or her own copying devices and/or supplies.

(d) If the disclosure of the user's file or a portion thereof would divulge trade secrets or secret processes, the user shall have the right to request that such information be kept confidential. Any such claim must be made at the time of submittal of the information by marking the submittal “confidential business information” on each page containing such information. The Administrator shall not consider any wastewater constituents and characteristics to be confidential information.

(e) Information which is demonstrated to be confidential shall not be transmitted to anyone other than a governmental agency bound by the confidentiality requirements of 40 CFR Part 2, for uses related to this chapter, the IEUA NPDES permit, State disposal system permit and/or the pretreatment program, and for use by the State or Federal agency in judicial review or enforcement proceedings involving the user.

(§ 3, Ord. 2755, eff. April 4, 2002)

M) SEC. 6-7.513. INSPECTION/RIGHT-OF-ENTRY.

Users or occupants of a premises where wastewater is created, conveyed, treated, or discharged shall allow the Administrator, or his or her representatives, having presented proper credentials, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes

of inspection, sampling, monitoring, reviewing or copying records, photographing, videotaping, or recording during all times that the discharger's facility is open, operating, or any other reasonable time. No user shall interfere with, delay, resist or refuse entrance to authorized City or IEUA personnel attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the City's sewerage system.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 21, Ord. 2816, eff. December 1, 2005)

6. ARTICLE 6. ENFORCEMENT

A) SEC. 6-7.601. PURPOSE AND SCOPE.

(a) Any user who has violated or continues to violate federal pretreatment standards or requirements, this chapter, an industrial wastewater permit, or any prohibition, limitation, or requirement contained herein, is subject to enforcement actions administratively or judicially by the City, EPA, State of California Regional Water Quality Control Board, or the County of San Bernardino District Attorney. Said actions may be taken pursuant to the authority and provisions of several laws, including but not limited to: the Clean Water Act, the Resource Conservation and Recovery Act, the California Porter-Cologne Water Quality Act, and the California Hazardous Waste Control Law.

(b) The Council finds that in order for the City to comply with such laws, and regulations, and to ensure that the City's facilities and the POTW are protected and are able to operate with the highest degree of efficiency, and to protect public health and the environment, specific enforcement provisions must be adopted to govern the discharges of wastewater into the sewerage system.

(c) The City and IEUA, at its discretion, may utilize anyone, combination or all enforcement remedies provided in Article 6 in response to any permit or violation of this chapter.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 22, Ord. 2816, eff. December 1, 2005)

B) SEC. 6-7.602. DETERMINATION OF NON-COMPLIANCE.

(a) Sampling procedures.

(1) Sampling of all permittees shall be conducted in the time, place, manner, and frequency determined at the discretion of the City.

(2) Non-compliance with mass emission rate limits, concentration limits, permit discharge conditions, or any discharge provision of this chapter may be determined by an analysis of a grab or composite sample of the effluent of a user. Non- compliance with mass emission rate limits shall be determined by an analysis of a composite sample of the user's effluent. A grab sample may be used to determine compliance with mass emission rate limits when the discharge is from a closed (batch) treatment system in which there is: no wastewater flow into the system when the discharge is occurring, the volume of wastewater contained in the batch system is known, the time

interval of discharge is known, and the grab sample is homogeneous and representative of the discharge.

(3) Any sample taken from a sample point is considered to be representative of the discharge to the sewerage system.

(b) Permit, agreements, and administrative orders provisions.

(1) Non-compliance with a permit condition, Compliance Agreement, or Cease and Desist Order compliance deadline shall be determined by whether the user or permittee has submitted the required information, or completed the required action (such as installing and operating a pretreatment system that is discharging effluent and meeting the permitted discharge limits) by the date and/or time specified.

(2) The user or permittee may request in writing by certified mail, an extension to a deadline to meet a compliance deadline. At a minimum, the request shall specify the reasons for not meeting the deadline, what actions are now being taken to accomplish the requirement, and the new date by which the user will complete the requirement.

(3) It the discretion of the Administrator, the request may be granted and the user notified in writing of the new compliance deadline. If the Administrator does not provide notification by the original compliance date in the permit, Compliance Agreement, or Cease and Desist Order, then the original date shall stand as the compliance date.

(c) Fees, surcharges, or penalties. A user shall be in non-compliance with the chapter and their permit, if connection fees, sewer surcharge fees, penalties, non-compliance fees, administrative fees, bond guaranty or other monies owed to the City for sewer services are not paid within the time specified on the bill or in the permit, Compliance Agreement, or other enforcement agreement.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 22, Ord. 2816, eff. December 1, 2005)

C) SEC. 6-7.603. NON-COMPLIANCE FEES.

(a) Non-compliance with discharge requirements of this chapter or the user's industrial wastewater permit [may] be determined by an analysis or a grab or composite sample of the user's discharge to the sewerage system. Sampling of a user's wastewater shall be conducted in the time, manner, and frequency determined at the discretion of the Administrator.

(b) A user is in violation of a separate offense for every day during which any violation of any provision of this chapter is committed, continued, or permitted by the user.

(c) Such user may be subject to administrative and/or legal actions, and shall pay to the City non-compliance fees as established by this section, to recover all costs incurred by the City and IEUA in performing inspections, sampling, and analysis of the user's wastewater, processing

Notices of Violation, and conducting enforcement actions. For a discharge violation, non-compliance fees shall continue to accumulate for each day sampled.

(1) The user shall pay a minimum of One Hundred Dollars ($100.00) for the first confirmed occurrence of a violation within one (1) year.

(2) The user shall pay a minimum of Two Hundred Dollars ($200.00) for the second occurrence of the same violation within one (1) year.

(3) After the second occurrence of the same violation within one (1) year, the user shall pay a minimum of Five Hundred Dollars ($500.00) for each additional occurrence of such violation.

(4) The user shall pay a minimum of One Thousand Dollars ($1,000) for any violation or a Show Cause Order, Compliance Agreement, or a Cease and Desist Order.

(d) Any user shall be assessed a mandatory minimum penalty of Three Thousand Dollars ($3,000) pursuant to Cal. Water Code § 13362 for each violation if any of the following applies:

(1) There is a serious violation within any six (6) month period;

(2) A user commits two (2) or more serious violations in any six (6) month period; or

(3) A user does any of the following four (4) or more times in any six (6) month period:

(i) Exceeds a waste discharge effluent limitation;

(ii) Fails to file a report pursuant to Cal. Water Code § 13260;

(iii) Files an incomplete report pursuant to Cal. Water Code § 13260; or

(iv) Exceeds a toxicity discharge limitation where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.

(e) The user shall pay a minimum of Fifty Dollars ($50.00) per calendar day for non-compliance with the submittal date for a compliance schedule, progress report, or any monitoring or technical report as established in this chapter, the user's industrial wastewater permit, or in a written request by the Administrator. The Administrator shall allow a reasonable amount of time for the user to submit any required monitoring or technical reports.

(f) The payment of non-compliance fees shall not limit the City, IEUA or any other regulatory agency, from undertaking any administrative and/or legal action.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 22, Ord. 2816, eff. December 1, 2005)

D) SEC. 6-7.604. NOTICE OF VIOLATION.

(a) Whenever the Administrator finds that a user has violated Federal pretreatment standards or requirements of this chapter, an industrial wastewater permit, an order issued hereunder, or any prohibition, limitation, or requirement contained herein, the Administrator shall serve upon said user a written notice stating the nature of the violation and the penalties for continued non-compliance.

(b) Whenever the user receives a Notice of Violation, such user shall submit to the Administrator, within ten (10) days from the date of the notice, a written explanation of the cause of the violation and the corrective actions which have been taken to prevent recurrence of such violation. In the case of a violation of a discharge limit, the user shall repeat the sampling weekly, test for each constituent in violation, and submit the test results to the Administrator within thirty (30) days from the date of the notice until such time that the discharge shows compliance with the discharge limit.

(c) If the user fails to correct a violation within forty-five (45) days from the date of the notice, requires additional time to correct all conditions to bring the discharge violation into compliance, or a discharge violation has occurred more than once within a one (1) year period, the user shall submit a compliance schedule within sixty (60) days of the initial violation.

(d) Unless otherwise provided herein, any notice under this chapter shall be in writing and served on the user or by certified mail. Notice shall be deemed to have been given at the time of deposit, postage prepaid, in a facility regularly serviced by the United States Postal Service. Any time limit provided in any written notice or in any provision of this chapter shall be extended only by a written direction of the Administrator.

(§ 3, Ord. 2755, eff. April 4, 2002)

E) SEC. 6-7.605. SHOW CAUSE ORDER.

(a) The Administrator may issue a Show Cause Order requiring the user who causes or contributes to a violation of this chapter, or any order, agreement, or permit issued hereunder, to appear at the City's offices at the date and time specified in the Order to Show Cause to the Administrator as to why more severe enforcement actions and/or criminal and/or civil actions should not be taken.

(b) The order shall be served on the user and shall specify the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least 10 (ten) days prior to the hearing. Such notice may be served on any principal executive, general partner or corporate officer. Whether or not a duly notified user appears as noticed, immediate enforcement action may be pursued.

(§ 3, Ord. 2755, eff. April 4, 2002)

F) SEC. 6-7.606. COMPLIANCE AGREEMENT.

(a) Upon finding that a user will need to install pretreatment equipment to bring the discharge into compliance with this section or industrial discharge permit limits, need additional Operation and Maintenance personnel and/or procedures to meet a categorical standard, or need to construct facilities to meet the City's pretreatment requirements or to correct a recurring violation of any local discharge limitation, the Administrator may require that a Compliance Schedule, agreed upon in advance by the user and the City, be issued to the user.

(b) The Compliance Agreement may contain terms and conditions including, but not limited to, installation of pretreatment equipment and facilities, submittal of drawings, technical reports and/or progress reports, payment of fees, posting of a performance bond, limits on the rate and time of discharge, additional self-monitoring requirements, a compliance schedule, or other provisions to ensure compliance with this chapter. The schedule shall contain milestones of progress in the form of dates for the commencement and completion of major events leading to design, construction, and operation of the pretreatment facility of similar structure. Each increment in the Compliance Schedule is subject to review and approval by the Administrator. No Compliance Schedule increment shall exceed nine (9) months.

(c) The user shall submit a progress report to the Administrator following each milestone in the schedule. Each report shall be submitted no later than fourteen (14) days following each milestone in the Compliance Schedule. The report shall include whether or not the user achieved the milestones on their date and, if not, the date on which the user expects to complete the milestone, the reason for delay, and the steps taken by the user to meet the established schedule.

(d) The Administrator may extend the Compliance Schedule for an additional period of time, provided that the user shows good cause, including, but not limited to, reasonable progress under the terms of the Compliance Schedule. A Compliance Schedule shall not extend beyond any applicable Federal deadlines.

(§ 3, Ord. 2755, eff. April 4, 2002)

G) SEC. 6-7.607. CEASE AND DESIST ORDER.

(a) A Cease and Desist Order shall direct a user to cease and desist all discharge violations, to comply immediately with all discharge requirements and to take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened discharge violation, including halting operations and/or terminating the discharge.

(b) The user shall pay a minimum of One Thousand Dollars ($1,000) for any violation of a Cease and Desist Order.

(§ 3, Ord. 2755, eff. April 4, 2002)

H) SEC. 6-7.608. PERMIT REVOCATION.

The Administrator may issue a permit revocation order, whereby the user must comply with all directives, conditions and requirements therein within the time prescribed. The revocation order shall contain terms and conditions to ensure compliance with this chapter.

(a) Grounds. The Administrator may revoke an industrial wastewater permit when it is determined that a user:

(1) Fails to comply with the terms and conditions of an industrial wastewater permit, any provision of this chapter, an Administrative Order, or a Compliance Agreement;

(2) Knowingly provides a false statement, representation, record, report, or document to the City;

(3) Falsifies, tampers with, or knowingly renders inaccurate any monitoring and/or sampling device;

(4) Fails to report changes in operations which result in significant changes in quantity or quality of the user's wastewater;

(5) Fails to submit oral notice or a written report of bypass occurrence;

(6) Discharges wastewater that causes an upset, interference, or a pass through at the POTW or with the City's collection system;

(7) Discharges to the sewerage system in violation of a Cease and Desist Order;

(8) Refuses reasonable access to the user's premises for the purpose of inspection and monitoring;

(9) Does not make timely payment of all amounts owed to the City for user charges, non-compliance fees, or any other fees;

(10) Discharges a slug load to the sewerage system; or

(11) Refuses to provide records, drawings, reports, or other documents required by the City to determine permit terms and conditions, or limits, discharge compliance, or compliance with this chapter.

(b) Notice of hearing. When the Administrator has reason to believe that grounds exist for permit revocation, he or she shall give written notice thereof by personal delivery or by certified mail to the user setting forth a statement of the facts and grounds deemed to exist, together with the time and place where the charges shall be heard by the Administrator's designee. The hearing date shall not be less than fifteen (15) calendar days or more than forty-five (45) calendar days after mailing of such notice.

(1) At the revocation hearing, the user shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The revocation hearing shall be conducted in accordance with procedures established by the Department of Public Works (DPW) and approved by the City Council.

(2) After the conclusion of the hearing, the Administrator's designee shall make his or her determination and submit a written report to the DPW setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation. Upon receipt of the written report, the Administrator shall make his or her determination and should he or she find that grounds exist for permanent revocation of the permit, he or she shall issue his or her decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by his or her designee. The written decision and order of the Administrator shall be sent by certified mail to the permittee or its legal counsel/representative at the permittee's business address.

(3) In the event the Administrator determines to not revoke the permit, he or she may order other enforcement actions, including, but not limited to, a temporary suspension of the permit, under terms and conditions that he or she deems appropriate.

(c) Effect.

(1) Upon an order of revocation by the Administrator's designee becoming final, the user shall have no right to discharge any non-domestic wastewater or sanitary wastes (whichever applies) directly or indirectly to the City sewerage system for the duration of the revocation. All costs for physically terminating and reinstating service shall be paid by the user.

(2) Any owner or responsible management employee of the user shall be bound by the order of revocation. An order of permit revocation issued by the Administrator shall be deemed final in all respects upon delivery to the applicant or user unless a request for hearing is filed with the City Council pursuant to § 1-4.01 of Chapter 4 of Title 1 of the Ontario Municipal Code.

(3) Any future application for a permit at any location within the City by any user subject to an order of revocation will be considered by the Administrator after fully reviewing the records of the revoked permit. Such records may be the basis for denial of a new permit.

(§ 3, Ord. 2755, eff. April 4, 2002)

I) SEC. 6-7.609. INJUNCTION.

Whenever a user has engaged in, is engaged in, or is about to engage in any acts or practices which constitute or will constitute a violation of this chapter, the user's industrial wastewater permit, or any pretreatment regulation, the City or IEUA may petition the Superior Court for the issuance of a preliminary or permanent injunction, restraining order, or other appropriate order may be granted upon a showing that the user(s) engaged in, is engaged in, or is about to engage in the challenged acts or practices.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 23, Ord. 2816, eff. December 1, 2005)

J) SEC. 6-7.610. CIVIL PENALTIES.

(a) Authority. All users of the City of Ontario sewerage system are subject to enforcement actions administratively or judicially by the City of Ontario, IEUA, U.S. EPA, the State of California Regional Water Quality Control Board, or the City Attorney. Said actions may be taken pursuant to the authority and provisions of several laws, including but not limited to:

(1) Federal Water Pollution Control Act, commonly known as the Clean Water Act (33 U.S.C. 1251 et seq.); California Porter-Cologne Water Quality Act (Cal. Water Code §§ 13000 et seq.);

(2) California Hazardous Waste Control Law (Cal. Health & Safety Code §§ 25100 to 25250); and

(3) Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.).

(b) Recovery of fines or penalties. In the event the City of Ontario is subject to the payment of fines or penalties pursuant to the legal authority and actions of other regulatory or enforcement agencies based on a violation of law or regulation or its permits or IEUA's permits, and said violation can be established by the City as caused by or contributed to by the discharge of any user of the City sewerage system which is in violation of any provision of this chapter or the user's permit, the City shall be entitled to recover from the user all costs and expenses, including, but not limited to, the full amount of said fines, penalties, and damages to which it has been subjected.

(c) Penalties for violations.

(1) Administrative complaints and penalties. In addition to any other remedy or proceeding available under this chapter, or any other law, pursuant to Cal. Gov't Code §§ 54739 and 54740.5, the Administrator may issue an administrative complaint to any user who violates this chapter, any permit condition, prohibition or effluent limitation, or any suspension or revocation order. The administrative complaint shall allege the act or failure to act that constitutes the violation, the proposed civil penalty, and the authority under which it is imposed.

(2) The administrative complaint, served on the alleged violator by personal delivery or by certified mail, shall inform the user served that a hearing before the Administrator shall be conducted within sixty (60) days of the service of the complaint. The right to a hearing may be waived by the user who issued the administrative complaint.

(3) After the conclusion of the hearing, the Administrator shall make his or her determination and shall issue his decision and order within thirty (30) calendar days of the hearing. The written decision and order of the Administrator shall be sent by personal delivery or by certified mail to the user.

(4) The order of the Administrator shall be final in all aspects fourteen (14) days after it is mailed to the user unless a request for hearing is filed with the City Council pursuant to § 1-4.01 of Chapter 4 of Title 1 of the Ontario Municipal Code. If after the hearing it is found that the user violated reporting or discharge requirements, the Administrator may assess a civil penalty. Unless appealed, an order imposing administrative civil penalties shall become effective upon issuance, and payment shall become due within thirty (30) days of issuance of an invoice by the City of Ontario.

(5) Civil penalties may be assessed as follows:

(i) In an amount which shall not exceed Two Thousand Dollars ($2,000) for each day for failing or refusing to furnish technical or monitoring reports;

(ii) In an amount which shall not exceed Three Thousand Dollars ($3,000) for each day for failing or refusing to timely comply with any compliance schedule established by the City;

(iii) In an amount which shall not exceed Five Thousand Dollars ($5,000) per violation for each day of discharge in violation of any discharge limitation, permit condition, or requirement issued, reissued or adopted by the City;

(vi) In an amount which shall not exceed Ten Dollars ($10.00) per gallon for discharges in violation of any suspension, revocation, cease and desist order or other orders, or prohibition issued, reissued or adopted by the City. In determining the amount of the penalty, the City shall take into consideration all relevant circumstances including, but not limited to, the extent of harm caused by the violation, the economic benefit derived by non- compliance, the nature and persistence of the violation, the length of time over which the violation occurs, and corrective action, if any, taken by the user. Each day, or any portion thereof, during which a violation occurs or continues is a separate violation for which the maximum daily penalty may be assessed.

(6) Copies of the administrative order setting civil penalties shall be sent to the user either by personal delivery or by certified mail.

(7) Any user aggrieved by a final order issued by the City Council pursuant to this section, may obtain a review of the order in the Superior Court by filing a petition for writ of mandate within thirty (30) days following the service of a copy of such order.

(8) Unless appealed, payment on any administrative order setting civil penalties shall be made within thirty (30) days of the date the order becomes final.

(9) All monies collected under this section shall be deposited in a special account of the City, and shall be made available for monitoring and control of discharges into the public sewer and for other enforcement and mitigation measures.

(10) Any fines or charges imposed on the City by a regulatory agency as a result of a user's violation of any provisions of this chapter shall be an additional sewer charge to that user.

(§ 3, Ord. 2755, eff. April 4, 2002)

K) SEC. 6-7.611. CRIMINAL PENALTIES.

Any user who willfully violates any provision of this chapter, administrative order, or industrial wastewater permit condition, is guilty of a misdemeanor, which upon conviction is punishable by a fine of not less than One Thousand Dollars ($1,000) or by imprisonment in the County Jail for not more than six (6) months or by both. Each day a violation occurs shall constitute a new and separate violation of this chapter and shall be subject to the penalties contained herein.

(§ 3, Ord. 2755, eff. April 4, 2002)

L) SEC. 6-7.612. APPEAL.

(a) Pursuant to § 1-4.01 of Chapter 4 of Title 1 of the Ontario Municipal Code, any user, affected by any decision, action or determination made by Administrator, may appeal in writing to the City Council by filing with the City Clerk a written notice of such appeal, setting forth grounds thereof. The appellant shall file such notice within fourteen (14) days after receipt of the notice of the administrative decision concerned.

(b) The order of the City Council shall be deemed final upon its adoption.

(c) If the user fails to appeal to the City Council, or the City Council fails to reverse or modify the administrative decision, the Administrator's administrative decision shall be deemed final.

(§ 3, Ord. 2755, eff. April 4, 2002)

M) SEC. 6-7.613 ADDITIONAL EMERGENCY REMEDIAL MEASURES.

The Administrator shall have full power and authority to take any necessary precautions including, but not limited to; decontamination, sewer closure, packaging, diking, and transportation of materials, in order to protect life, protect property, or prevent further damage resulting from a condition that is likely to result in a discharge which presents an imminent hazard to the public's health, safety or welfare; or which either individually or by interaction with other discharges, is an imminent hazard to the City's sewerage facilities; or which places the regional treatment plant in violation of its NPDES permit. In the pursuit of such an operation, City personnel, any party contracting with the City, or duly authorized representative of another government agency shall have immediate access to the premises. The Administrator may prohibit approach to the scene of such emergency by any user, vehicle, vessel or thing, and all users not actually employed in the extinguishing of the condition or the preservation of lives and property in the vicinity thereof.

(§ 3, Ord. 2755, eff. April 4, 2002)

N) SEC. 6-7.614. CUMULATIVE REMEDIES.

The remedies provided by this chapter are cumulative, and shall not be construed as restricting any remedy, provisional or otherwise, provided by law for the benefit of the City, and no remedy under this chapter shall preclude the City from obtaining additional relief based upon the same facts.

(§ 3, Ord. 2755, eff. April 4, 2002)

O) SEC. 6-7.615. TERMINATION OF SERVICE.

The City, by order of the Director of Public Works, may physically terminate sewerage service to any property as follows:

(a) Upon any order of emergency suspension or revocation of a permit; or

(b) Upon the failure of a user not holding a valid discharge permit to immediately cease discharge, whether direct or indirect, to the City's sewerage facilities.

(§ 3, Ord. 2755, eff. April 4, 2002)

P) SEC. 6-7.616. PUBLIC NUISANCE.

Discharge of wastewater in any manner in violation of this chapter or of any order issued by the Director of Public Works, as authorized by this chapter, is hereby declared a public nuisance and shall be corrected or abated as directed by the Director of Public Works. Any user creating a public nuisance is guilty of a misdemeanor.

(§ 3, Ord. 2755, eff. April 4, 2002)

Q) SEC. 6-7.617. COST.

In the event permittee fails to comply with any of the terms and conditions of the this chapter, a Compliance Agreement, a permit revocation, or a permit issued hereunder, the City and IEUA shall be entitled to reasonable attorney's fees and costs which may be incurred in order to enforce any of said terms and conditions, with or without filing proceedings in court.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 24, Ord. 2816, eff. December 1, 2005)

R) SEC. 6-7.618. RECOVERY OF COST INCURRED BY CITY.

Any user who, by discharging wastewater, non-stormwater or by any other means, damages monitoring equipment, adversely affects wastewater treatment processes, significantly increases POTW operation costs, causes blockage, damage, upset, interference, or pass through at the POTW, or causes blockage shall be liable to the City for said damages and additional costs, including any fines or penalties, occasioned thereby. An administrative fee, which shall be fixed by the City Manager based on the City's current overhead cost allocation percentage and approved

by the City Council, shall be added to these charges and shall be payable within thirty (30) days of invoicing by the City.

(§ 3, Ord. 2755, eff. April 4, 2002)

S) SEC. 6-7.619. FINANCIAL SECURITY.

(a) Compliance deposit. Permittees that have been subject to enforcement and/or collection proceedings may be required to deposit with the City an amount determined by the Administrator as necessary to guarantee payment to the District of all charges, fees, penalties, costs and expenses that may be incurred in the future, or as a condition to ensure compliance provisions of a Compliance Agreement, permit issuance after revocation, before permission is granted for further discharge to the sewer.

(b) Delinquent accounts. The City may require an amendment to the permit of any permittee who fails to make payment in full of all fees and charges assessed by the City, including reconciliation amounts, delinquency penalties, and other costs or fees incurred by the user.

(c) Bankruptcy. Every user filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy Court, for purposes of discharging its financial debts or obligations or seeking court-ordered protection from its creditors, shall, within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its permit.

(d) Permit amendments. The City shall review and examine the user's account to determine whether previously incurred fees and charges have been paid in accordance with time requirements prescribed by this chapter. The City and IEUA may thereafter issue an amendment to the user's permit in accordance with the provisions of Article 3 and subsection (e) of this section.

(e) Security. An amendment to a waste discharge permit issued pursuant to subsections (c) and (d) of this section may be conditioned upon the user depositing financial security in an amount equal to said user's average total fees and charges for the two (2) prior calendar quarters. Said deposit shall be used to guarantee payment of all fees and charges incurred for future services and facilities furnished by City and shall not be used by the City to recover outstanding fees and charges incurred prior to the user filing and receiving protection from creditors in the United States Bankruptcy Court.

(f) Return of security. In the event the user makes payment in full within the time prescribed by this chapter of all fees and charges said user incurred over a period of two (2) years following the issuance of an amendment to the permit pursuant to subsections (c), (d) and (e) of this section, the City shall either return the security deposit posted by the user or credit their account.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 25, Ord. 2816, eff. December 1, 2005)

T) SEC. 6-7.620. APPEALS TO THE ADMINISTRATOR.

(a) General. Any user permit applicant or permittee affected by any decision, action or determination made by the Administrator may file with the Administrator a written request for an appeal hearing. The request must be received by the City within fifteen (15) days of mailing of notice of the decision, action, or determination of the City to the appellant. The request for hearing shall set forth in detail all facts supporting the appellant's request.

(b) Notice. The Administrator shall, within fifteen (15) days of receiving the request for appeal, designate the Utilities Director or other representative to hear the appeal and provide written notice to the appellant of the hearing date, time and place. The hearing date shall not be more than thirty (30) days from the mailing of such notice by certified mail to the appellant unless a later date is agreed to by the appellant. If the hearing is not held within said time due to actions or in actions of the appellant, then the staff decision shall be deemed final.

(c) Hearing. At the hearing, the appellant shall have the opportunity to present information supporting its position concerning the Administrator's decision, action or determination. The hearing shall be conducted in accordance with procedures established by the Administrator and approved by the City Counsel.

(d) Written determination. After the conclusion of the hearing, the Utilities Director (or other designee) shall submit a written report to the Director of Public Works setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and recommendations whether to uphold, modify or reverse the Administrator's original decision, action or determination. Upon receipt of the written report, the Administrator shall make his or her determination and shall issue his or her decision and order within thirty (30) calendar days of the hearing by his or her designee. The written decision and order of the Administrator shall be sent by certified mail to the appellant or its legal counsel/representative at the appellant's business address.

(e) The order of the Administrator shall be final in all respects on the sixteenth (16th) day after it is mailed to the appellant unless a request for hearing is filed with the City pursuant to § 1-4.01 of Chapter 4 of Title 1 of the Ontario Municipal Code, no later than 5:00 p.m. on the fifteenth (15th) day following such mailing.

(f) Pursuant to § 1-4.01 of Chapter 4 of Title 1 of the Ontario Municipal Code, any user, affected by any decision, action or determination made by Administrator, may appeal in writing to the City Council by filing with the City Clerk a written notice of such appeal, setting forth grounds thereof The appellant shall file such notice within fourteen (14) days after receipt of the notice of the administrative decision concerned.

(g) The order of the City Council shall be deemed final upon its adoption.

(h) If the user fails to appeal to the City Council, or the City Council fails to reverse or modify the administrative decision, the Administrator's administrative decision shall be deemed final.

(§ 3, Ord. 2755, eff. April 4, 2002)

U) SEC. 6-7.621. JUDICIAL REVIEW.

(a) Purpose and effect. Pursuant to Cal. Code of Civil Procedure § 1094.6, the City hereby enacts this part to limit to ninety (90) days following final decisions in adjudicatory administrative hearings the time within which an action can be brought to review such decisions by means of administrative mandamus.

(b) Definitions. As used in this section, the following terms and words shall have the following meanings:

(1) "Complete record" shall mean and include the transcript, if any existing, of the proceedings, all pleadings, all notices and orders, any proposed decision by the Director of Public Works, the final decision, all admitted exhibits, all rejected exhibits in the possession of the City or its offices or agents, all written evidence, and any other papers in the case.

(2) "Decision" shall mean and include adjudicatory administrative decisions that are made after hearing, or after revoking, suspending, or denying an application for a permit or a license.

(3) "Party" shall mean a user whose permit has been denied, suspended, or revoked.

(c) Time limit for judicial review. Judicial review of any decision of the City or its officer or agent may be made pursuant to Cal. Code of Civil Procedure § 1094.5 only if the petition for writ or mandate is filed not later than the ninetieth (90th) day following the date in which the decision becomes final. If there is not provision for reconsideration in the procedures governing the proceedings or if the date is not otherwise specified, the decision if final on the date it is made. If there is provision for reconsideration, the decision is final upon the expiration of the period during which such reconsideration can be sought; provided that if reconsideration is sought pursuant to such provision to decision is final for the purposes of this section on the date that reconsideration is rejected.

(d) Preparation of the record. The complete record of the proceedings shall be prepared by the City officer or agent who made the decision and shall be delivered to the petitioner within ninety (90) days after he or she has filed written request therefor. The City may recover from the petitioner its actual cost for transcribing or otherwise preparing the record.

(e) Extension. If the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition, pursuant to Cal. Code of Civil Procedure § 1094.5, may be filed shall be extended to not later than the thirtieth (30th) day following the date on which the record is either usually delivered or mailed to the petitioner or the petitioner's attorney of record, if appropriate.

(f) Notice. In making a final decision, the City shall provide notice to the party that the time within which judicial review must be sought is governed by Cal. Code of Civil Procedure § 1094.6.

(g) Administrative civil penalties. Not with- standing the foregoing, and pursuant to Cal. Gov't Code § 54740.6, judicial review of an order of the Steering Committee imposing administrative civil penalties may be made only if the petition for writ of mandate is filed not later than the thirtieth (30th) day following the day on which the order of the Steering Committee becomes final.

(§ 3, Ord. 2755, eff. April 4, 2002)

V) SEC. 6-7.622. AFFIRMATIVE DEFENSE.

Each user shall have an affirmative defense in any action brought upon him or her alleging a violation of §§ 6-7.208, 6-7.209, or 6-7.211 where the user can demonstrate that:

(a) The user did not know or have reason to know that his or her discharge, alone or in conjunction with a discharge or discharges from other sources, would cause pass through or interference and;

(b) The user was in compliance with each local discharge limit directly prior to and during the pass through or interference; or

(c) If a local limit of the pollutant causing the violation has not been established by the City and the user's discharge directly prior to and during the pass through or interference did not change substantially in quantity or quality from the user's prior discharge activity when the POTW was regularly in compliance with its NPDES permit requirements, sewage sludge use and disposal requirements.

(§ 3, Ord. 2755, eff. April 4, 2002)

7. ARTICLE 7. SCHEDULE OF FEES AND CHANGES

A) SEC. 6-7.701. REVENUES.

(a) Every person whose premises in the City are served by a connection to the public sewer system whereby the sewage and/or industrial wastes are disposed of by the City through the regional sewage system, or otherwise, shall pay a sewer operation charge and any surcharge as established by § 6-7.703 of this chapter.

(b) The charges provided for in § 6-7.703 shall be applicable only on premises to which a public sewer system main is connected.

(c) The charges provided for in § 6-7.703 for any promise or property shall be collected with the charges and rates for water services furnished by the City to such premises. Such charges shall be billed upon the same bill as prepared for charges for water services and shall be due and payable monthly at the same time such charges for water services are due and payable. The total amount due for the charges herein fixed and for charges for water shall be paid as a unit.

(d) The City Council may, from time to time in its discretion by ordinance or resolution, alter, change, amend, or revise the charges and rates for services and facilities in connection with the public sewer and stormwater drainage systems.

(e) It shall be the duty of the Revenue Department of the City to collect all charges provided for in this chapter.

(f) The City Council shall have the right to require any person liable to pay any stormwater pollution abatement charges, sewer operation charges and applicable surcharges to make a reasonable deposit to insure the collection of such charge.

(g) If any person fails to pay any applicable charges when the same become due, the City may, in addition to any other remedies it has, cut off any of the services and facilities provided for in this chapter and shall not resume the same until all delinquent charges, together with any charges necessitated by the resumption of such services and facilities, have been fully paid.

(h) All funds and monies received from the collection of sewer operation charges and applicable surcharges as herein established, shall be deposited and maintain in a separate fund and account to be known as the Sewer Operation Fund. The moneys deposited in such fund shall be used as permitted by Cal. Health & Safety Code § 5471.

(i) Adequate funds shall be transferred from Sewer Service Revenues to the Sewer Revolving Fund for sewer capital facilities repairs and replacement. The amount of this transfer shall be reviewed and adjusted in conjunction with rate studies to meet the needs of the sewer capital improvement program.

(j) If a developed parcel does not have a utility account with the City on the effective date of this section, a new account shall be established for that parcel and billed to the owner of said parcel as shown on the latest County Assessor's property tax rolls as an existing utility account. When an undeveloped parcel is developed, a new account shall be established and billed to the owner of that parcel as shown on the latest County Assessor's property tax rolls. The developed property owner shall maintain responsibility for payment until such time as other City utility services are provided to said parcel and a primary utility account is established for payment responsibility with the occupier of said property.

(§ 3, Ord. 2755, eff. April 4, 2002)

B) SEC. 6-7.702. EQUIVALENT DWELLING UNITS (EDU).

(a) Residential customers: The wastewater flow from a single-family residential unit is defined as one (1) EDU. On the average, this flow is two hundred seventy (270) gallons per day, and the levels of biological oxygen demand (BOD) and suspended solids (SS) are equal to two hundred thirty (230) mg/l and two hundred twenty (220) mg/l, respectively. The average flow from a multiple family residential or mobile home unit is one hundred eighty-nine (189) gallons per day with the same levels of BOD and SS. By definition, this is equal to seven-tenths (.7) of one (1) EDU.

(b) Schools. The number of EDUs for a school is determined annually based on the school's October Average Daily Attendance (ADA). One (1) EDU is equivalent to fifty-four (54) Kindergarten through high school students, or twenty-seven (27) college students.

(c) Commercial customers. Commercial customers are grouped in different sewer categories as shown below. Each category is assigned a wastewater factor (WF) based on the percentage of water consumption returned to the sewer, and the wastewater levels of BOD and SS according to the following formula:

WF = Flow %

((0.37 + (0.31 BOD/230) + (0.32 SS/220)) / 10.98

The number of EDUs is calculated using the monthly water consumption in hundred cubic feet (HCF) as follows:

EDUs — HCF x WF COMMERCIAL CATEGORIES AND WASTEWATER FACTORS FOR DETERMINING MONTHLY SEWER CHARGES

Category	Type of Commercial	BOD/SS	Flow %	Wastewater Factor
1	Office	230/220	80	0.0729
	Day Care Center			
	Market w/o grinder			
	Public Facility w/o dining			
	Bar/Tavern w/o food			
	Retail/Service			
	Recreation/Amusement w/o dining			
2	Mortuary	250/350	95	0.1052
3	Hotel w/dining	300/400	85	0.1050
	Motel w/dining			
	Bar/Tavern w/dining			

	Recreation/Amusement w/dining			
	Public Facility w/dining			
	Hospital - full service			
	Convalescent facility			
4	Laundromat	100/150	95	0.0626
	Car Wash			
5	Laundry Commercial/Industrial	350/550	85	0.1215
	Dry Cleaner			
6	Motel w/o dining	300/100	80	0.0670
	Health Spa			
	Church/Workshop			
7	Outpatient Facility	225/100	90	0.0671
	Doctor Office			
	Dental Office			
8	Restaurant full service	400/300	85	0.1042
	Restaurant fast food			
	Market w/grinder			
	Bakery			
9	School Public/Private	230/220		Fixed EDU

	K through 12		5 gpd/s	October ADA/54
	College		10 gpd/s	October ADA/27

(d) Industrial customers. Industrial customers shall consist of any industrial user identified in the NAICS/SIC Code US Manual, 1997, as amended and supplemented, under the category Division D - Manufacturing, and any other user of significant waste products as determined by the City. The number of EDUs of industrial customers shall be the sum of domestic and non-domestic wastewater EDUs as follows:

(1) The number of domestic wastewater EDUs is calculated using a wastewater factor equal to 0.0729 (category 1 - commercial customers) as described in subsection (c) of this section.

(2) The number of non-domestic wastewater EDUs is calculated based on the average daily flow (gallons per day) and strength (BOD & SS in mg/l) of the non-domestic wastewater flow according to the following formula:

EDUs-Non-Domestic Flow

((0.37 + (0.31 BOD/230) + (0.32 SS/220)) / 270

(e) If required by the City, any non-residential user may be required to submit on a yearly basis (on or before the first of July of every year), a twenty- four (24) hour composite wastewater sample analysis performed by a certified laboratory. Said analysis shall be for BOD, SS and/or any other parameters, as may be required by the City. The customer shall pay all monitoring costs. The results of the analysis may be used to adjust the customer's wastewater factor and billing records. The frequency of wastewater analysis samples submitted may vary depending on the type of industrial discharge as determined by the City.

(f) In the event a customer believes the parameters used to establish the customer's wastewater factor is no longer applicable, said customer may submit the results of laboratory analyses and any other documents for review by the City. An adjustment in the wastewater factor and billing records may be made if deemed appropriate and consistent with the intent of this section. Any adjustment shall not be retroactive and shall be effective on the first day of the current billing cycle.

(g) If a wastewater pretreatment device and/or in-plant modification is instituted which involves a change in the quality and/or quantity of wastewater being discharged, the customer shall immediately notify the City. The user shall be required to submit flow 71 measurements and laboratory analysis for BOD, SS and any other parameters as described in subsection (e) of this section.

(h) The specific wastewater rate calculation criteria, including the assignment of sewer factors to specific customers, shall be determined by the City for all customers not specifically mentioned under the classifications set forth in this section, in accordance with the provisions of this section.

(i) If a commercial or industrial customer's water meter is used for both domestic and landscape irrigation, forty-five percent (45%) of the metered water consumption shall be assigned to landscape irrigation. If the user can show that landscape irrigation constitutes more than forty-five percent (45%) of the total, the City shall adjust this value provided that installation of a separate irrigation meter is not feasible. The adjustment shall be made after review, verification and approval of a water-use audit report prepared and submitted by the customer. Water meters that are used for landscape irrigation only, and other water meters that do not contribute to sewer flow shall not be included in the EDU calculations, and shall be exempt from sewer charges.

(§ 3, Ord. 2755, eff. April 4, 2002)

C) SEC. 6-7.703. SEWER REVENUE CHARGE RATES.

In addition to other fees, assessments, or charges provided by the Municipal Code or adopted by the City Council, the owner or occupant of any parcel of property for which no other sewer service charge is provided, and which parcel of property is connected to the sewer system of the City, shall pay monthly sewer service charges as established from time to time by an ordinance of the City Council.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 7, Ord. 2785, eff. November 16, 2003,§§ 26 and 27, Ord. 2816, eff. December 1, 2005, § 3, Ord. 2880, eff. February 4, 2008, § 3, Ord. 2913, eff. January 1, 2010)

D) SEC. 6-7.704. INDUSTRIAL WASTEWATER PERMIT FEES.

Industrial wastewater permit fees for non- residential customers shall be included in the monthly sewer charges as established in § 6-7.703 of this chapter.

(§ 3, Ord. 2755, eff. April 4, 2002)

E) SEC. 6-7.705. INDUSTRIAL WASTEWATER NON-COMPLIANCE FEES.

Any user who has violated or continues to violate this chapter, an industrial wastewater permit, an order issued hereunder, or any prohibition, limitation, or requirement contained herein, shall pay non- compliance fees to the City as established in § 6-7.603 of this chapter, to recover all costs incurred by the City in performing inspections, sampling and analysis of the user's wastewater, and administrative costs associated with processing notices of violation, and conducting enforcement actions.

(§ 3, Ord. 2755, eff. April 4, 2002)

F) SEC. 6-7.706. CAPITAL CAPACITY REIMBURSEMENT ACCOUNT (CCRA) FEE.

(a) The City must comply with the provisions of Cal. Gov't Code §§ 66000 to 66008 relating to developer fees.

(b) The process requires the Engineer to determine that certain defined relationships exist between a development project or class of development projects and the public improvement for which the developer fee is charged, and to segregate and account for the money separate from general fund moneys.

(c) The City is a party to the Regional Sewerage Service Contract, the obligations of which include the collection of developer fees to finance capital expansion of the regional sewage facilities serving the City. These regional sewage facilities are operated by the Inland Empire Utilities Agency (IEUA).

(d) IEUA has prepared a Ten (10) Year Capital Improvement Program which includes a study of the impact of anticipated development within the jurisdiction of each of the contracting agencies, including the City of Ontario, upon the need for and cost of sufficient wastewater interceptor and treatment capacity.

(e) Purpose and findings.

(1) The purpose of the CCRA fee is to finance construction of a wastewater interceptor, treatment and disposal facilities necessary to mitigate the impact of new development in the City upon such facilities, as supplemented by available ad valorem taxes.

(2) In order to implement the goals and objectives of the City of Ontario's General Plan and the Chino Basin Regional Sewage Service Contract, a Ten (10) Year Capital improvement Program is prepared annually by IEUA, for those expansions of the regional sewerage facilities to be needed by the contracting agencies to mitigate sewage impacts caused by new development in the City of Ontario and within the spheres of each of the contracting agencies.

(3) The Ten (10) Year Capital Improvement Program, which is hereby incorporated by reference, establishes that certain public sewage treatment facilities must be or had to be constructed to provide adequate treatment capacity to service anticipated new development within the jurisdiction of each of the contracting agencies. The cities and agencies contracting for sewage treatment with the IEUA are Cucamonga County Water District, Fontana, Montclair, Ontario, Chino, Upland and Chino Hills.

(4) The contracting agencies and IEUA have determined that a development impact fee is needed in order to completely finance these public improvements and to pay for the development's fair share of the construction costs of these improvements. In establishing the fees contained herein, the City Council has found the CCRA fee to be consistent with its General Plan and, pursuant to Cal. Gov't Code § 65913.2, has considered the effects of the fee with respect to the City's housing needs as established in the Housing Element of the General Plan.

(5) IEUA's Ten (10) Year Capital Improvement Program identifies the need for new regional wastewater interceptor, treatment and disposal facilities and sets forth the relationship between new development, needed facilities and estimated costs of the facilities. This report is annually updated by IEUA. The report utilizes the contracting agencies forecasted growth and an analysis of IEUA's financial projection of being able to provide capacity. Those

projections have been examined and have been found to be reasonable estimates of the projected growth within the City and the regional service area of the IEUA.

(6) The Capital Capacity Reimbursement Account (CCRA) fees collected pursuant to this section shall be used to finance only the debts identified in the IEUA Ten (10) Year Capital Improvement Program in accordance with the terms of the Regional Contract.

(7) The Engineer finds that new development within the City of Ontario will generate additional need for sewage treatment capacity within the regional service area and will contribute to the degradation of treatment facility capacity within the regional service area of the IEUA.

(8) The facts and evidence presented in IEUA's Ten (10) Year Capital Improvement Program establish that:

(i) There is a reasonable relationship between the need for the wastewater interceptor, treatment and disposal facilities and the types of development considered in the forecasts submitted by the contracting agencies, including the City of Ontario, for which a CCRA fee is hereby imposed;

(ii) There is a reasonable relationship between the use of such fee and each type of development project upon which the fee is imposed;

(iii) There is a reasonable relationship between the IEUA amount of the fee and the cost of the facilities to be built to service new development projects for which the fee is imposed; and

(iv) The procedures used to determine these relationships are described in more detail in the "Agreement Amending and Supplementing Chino Basin Regional Sewage Service Contract" and the Ten (10) Year Capital Improvement Program.

(9) There is a need in this City for sewage treatment capacity which has not now been constructed or has been constructed in anticipation of new development which has not contributed its fair share towards these facility costs and said facilities have been called for in or are consistent with the City's General Plan.

(10) The cost estimates set forth in IEUA's Ten (10) Year Capital Improvement Program are reasonable cost estimates for constructing wastewater interceptor, treatment and disposal facilities necessitated by projected new development, and the development fees collected by the City from any affected development project will not exceed the total of these costs attributable to the increased capacity necessary to serve that project.

(f) "Equivalent Dwelling Unit (EDU)" is a numerical value designation where one EDU represents the sewage flow from a single-family residential household. Every developer constructing any new residential, commercial, or industrial structure which will be connected to the City's public sewer shall pay to the City a CCRA fee of Three Thousand Nine Hundred Five

Dollars ($3,905.00) per EDU. Additionally, this fee will automatically be adjusted each year on July 1 to the amount adopted by the Inland Empire Utility Agency (IEUA) Board of Directors.

(g) For the purposes of computing uniform financial obligations for each Contracting Agency using the Regional Sewerage System, the following computations shall be used to determine EDUs for residential, commercial, and industrial units:

(1) Residential is a structure or part of a structure which is designed for the purpose of providing permanent housing for one family or tenant shall be one EDU. This includes, but is not limited to, a single family detached residence, an apartment, a townhouse, a condominium, or mobile home space within a mobile home park.

(2) Commercial is a structure which is designed for the purpose of providing permanent housing for enterprises engaged in exchange of goods and services. This shall include, but is not limited to, all private business and service establishments, schools, churches, and public facilities. EDUs shall be determined by multiplying the fixture units, as defined by the Uniform Plumbing Code, shown on the approved building plans by the appropriate sewage factor. Total EDUs for commercial centers with various use categories will be the sum of the EDUs computed for each category use as follows:

COMMERCIAL USE CATEGORIES LISTING				
No.	Type of Commercial	Gallons Per Fixture	BOD/TSS	Sewage Factor
I	Motel/Hotel	12	230/220	0.0444
	Recreation/Amusement			
	Restaurant (fast food)			
	Office			
	Retail Store			
	Market (without butcher shop)			
	Bar/Tavern			
II	Market (with butcher shop)	24	250/350	0.1081
	Bakery			

	Mortuary			
III	Convalescent Home	42	250/300	0.178
	Hospital			
	Health Spa (with pool)			
	Restaurant (full service)			
IV	Laundromat	43	350/500	0.2499
	Laundry			
	Dry Cleaner (processor)			
V	Car Wash (Coin Operated)	102	150/500	0.491
VI	Church	17	230/220	0.063
	School			
	Public Facility			
VII	Health Spa (without pool)	42	230/220	0.1555

(3) Industrial is a structure which is designed for the purpose of providing permanent housing for enterprises engaged in the production, manufacturing, or processing of material. EDUs for industrial users shall be determined as follows:

(i) For domestic type wastewater, multiply the fixture units, as defined by the Uniform Plumbing Code, as shown on the approved building plans by a sewer factor of 0.0741 based on a twenty (20) gallons per fixture unit flow per day.

(ii) For industrial wastewater, compute the number of EDUs from information contained on the industrial waste permit, as set forth in § 6-7.702 of this chapter.

(iii) Combine the resultant EDUs derived from (i) and (ii) above.

(4) The Sewage Factor formula used for Commercial and Industrial Categories is as follows:

Sewage Factor = Gallons per Fixture

((0.37 + (0.31 BOD/230) + (0.32 SS/220)) / 270

(h) Exempt from the CCRA fee shall be the following:

(1) Any residential, commercial or industrial structure which is or will be connected exclusively to another agency's sewer system or to a private sewage disposal system; and

(2) That portion of a newly constructed commercial and/or industrial development's waste which is discharged into the Non-reclaimable Waste System.

(i) For residential structures with a building permit issued prior to July 1, 1979, no CCRA fees will be levied at the time of connection to the regional system. If the original permit was issued after July 1, 1979, then the CCRA fees established at the time of permit issuance will apply.

(j) The CCRA fees will apply to all commercial and industrial development regardless of when the structure was constructed. When a non-residential user requests to connect to the regional system or to modify its use, if already connected, the CCRA fee shall be based on the current fee in effect at the time the connection or modified use is made.

(k) Additional CCRA fees shall be levied on existing commercial and industrial users who expand or revise use. The additional CCRA fee shall be based on the additional number of EDUs according to the following criteria:

(1) CCRA fees will only be levied on the fixture unit (FU) count difference between existing FUs and new FUs.

(2) The CCRA fee will be determined based on the fee in effect at the time of building or sewer permit issuance for the expanding development.

(3) A change in use, placing a commercial development in a different commercial category, will not result in the recalculation of CCRA obligation for the existing FUs. Only the CCRA fees for the new added FUs will be levied based on the commercial category which best defines the proposed use.

(l) All sewer use rights and capacity shall remain with the existing building and shall be sold to building owners rather than tenants. In cases where an existing building is completely demolished, the transfer of capacity rights can be permitted provided that:

(1) Proof of building demolition can be documented;

(2) Payment for original system capacity can be documented;

(3) The demolition occurs simultaneously with the transfer; and

(4) The transfer occurs within the contracting agency who originally sold the capacity.

(5) The capacity rights shall be determined based on number of EDUs of the demolished structure.

(m) CCRA fees shall be paid at the time of the application for building permits.

(n) CCRA fees collected shall be deposited in the City of Ontario's Sanitary Sewerage Collection and Treatment Fund and used to finance construction of wastewater interceptor, treatment and disposal facilities.

(o) At the discretion of the City Council, the CCRA fee may be adjusted annually by ordinance in order to remain current. The basis for said adjustment shall be the Engineering Construction Cost Index for Sewage Facilities in the Los Angeles area.

(§ 3, Ord. 2755, eff. April 4, 2002, as amended by § 1, Ord. 2756, eff. June 16, 2002, § 1, Ord. 2773, eff. July 6, 2003, § 1, Ord. 2801, eff. July 1, 2004)

G) SEC. 6-7.707. SANITARY SEWER INSTALLATION POLICY AND THE SETTING OF SEWER CONNECTION FEES.

(Repealed by § 5 of Ord. 2779, eff. August 1, 2003)

H) SEC. 6-7.708. INTERAGENCY WASTEWATER CONNECTION REQUIREMENTS AND AGREEMENT.

(a) The sewer discharge from a public sewering agency to the City must be approved by all involved agencies by written agreement.

(b) The public sewering agency desiring a sewer connection to the City, or source agency, must submit to the Engineer, a written request for an Interagency Connection Point which shall include: a plot map of the area to be served including the distance to the proposed connection point; the current zoning and acreage of each of the zoned regions of the area; the percentage of existing development in each zoned region; the current average and peak flow and wastewater quality from the total proposed area; and the projected maximum peak and average flows from the total area at build-out.

(c) The City shall have the right to deny the request for any reason.

(d) The contract agreement must be written by the source agency but reviewed and approved by the City and must include, but not be limited to the following:

(1) A statement of agreement to construct, at no expense to the City, all sewer facilities necessary to convey the sewage from the source agency area to the City’s public sewer system;

(2) All construction plans must be approved by the Engineer and all construction done in the City including a monitoring manhole at the connection point must be inspected and built to the City standards, also as-built plans must be submitted to the City upon completion of the work all at no cost to the City;

(3) The source agency shall agree, at their own expense, to submit to the City no later than forty-five (45) days from the date the connection point becomes active, a twenty-four (24) hour flow weighted composite analysis on the effluent entering the City at the connection point for all the parameters and constituents listed in the Inland Empire Utilities Agency Regional Contract, Exhibit H, and shall agree to submit to the City, a similar analysis every six (6) months starting from the submittal date of the first analysis;

(4) The water laboratory used by the source agency for the monitoring and analysis work must be approved by the City on an annual basis, and a copy of all the intercity connection point monitoring must be sent to the City directly from the laboratory;

(5) If the connection point is to be eliminated, the source agency shall abandon the intercity connection to current City standards, on the source agency's side of the City's boundary line at no expense to the City;

(6) The requesting agency shall collect all sewer fees as established by the City and transfer this money once per six (6) months to the City;

(7) The requesting agency shall be responsible to notify the City of any growth in this sewered area, and agree to allow the City to enforce their Pretreatment Program in the source agency's sewered area, 40 CFR 403.8(f)(2)(i);

(8) The City agrees to accept and deliver to the regional sewage treatment plant, or to an approved regional sewage system collection point, all sewage discharged through this connection point providing all predetermined flow and water quality criteria are being met;

(9) The City shall have the right to stop the sewer flow or eliminate the intercity connection point if any of the above criteria are violated, but must notify in writing, the source agency of the City's intent and establish a date and time the connection point may be abolished; and

(10) The source agency shall be responsible for submitting an executed copy of the interagency agreement to the IEUA.

(11) All existing source agencies that are discharging to the City's Public Sewer System when this chapter becomes effective, shall comply with all of the requirements of this section providing the requirements have not already been regulated in an executed agreement between the source agency and the City; all existing source agencies shall be given one year from the effective date of this chapter to comply with the additional requirements or the source agency may be subject to cancellation of their interagency connection.

(§ 3, Ord. 2755, eff. April 4, 2002)

Appendix C - Mutual Aid Telephone Roster

Last Updated: **06/17/19**

Mutual Aid Contact and Resources List						
IEUA						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Deputy Manager of Maintenance	Ken Monfore	(909)993-1938	(909)548-9142	kmonfore@ieua.org	2 GAPVac Trucks, Camera Van, Water Truck, 4" Trash Pump	(951)675-1131
Collection Supervisor	Daniel Dyer	(909)993-1720	(909)292-6314	ddyer@ieua.org		
Cucamonga Valley Water District						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Construction & Maintenance Superintendent	Robert Koczko	(909)987-2591	(909)912-9718	robertk@cvwdwater.com	SSO Bypass Reel/Hose/Pump, SRECO Sewer Easement Machine, 6" Pump, SRECO Continuous Sewer Rodder	(909)987-2591
Waste Water Collection's Supervisor	Shawn Spromberg	(909)483-7413	(909)912-4099	shawns@cvwdwater.com		
Water Utility	James Bryan	(909)207-1450	(909)990-5558	jamesb@cvwdwater.com		
City of Chino						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Environmental Coordinator	Ruben Valdez	(909)334-3423	(909)993-2386	rvaldez@cityofchino.org	Sewer Vactor Jet Truck, Water Truck, 10 Yd^3 Dump Truck, Backhoe, 4" Water Pump	(909)628-1234 Police
City of Chino Hills						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Operations Supervisor	Olson Childress	(909)364-2829	(909)573-4359	ochildress@chonohills.org	Vactor Truck, Camera Van, 6" Trash Pump, Backhoe, Jetter truck , 10 Ton Dump Truck, Skip Loader.	(909)364-2860
Water and Sewer Manager	Mark Wiley	(909)364-2854	(909)364-2860	mwiley@chinohills.org		
City of Fontana						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Utilities Supervisor	Todd Heagstedt	(909)350-6764	(909)821-8244	theagstedt@fontana.org	Vactor Truck, Camera Van, Sewer Rodder, Multi Trash Pump, Large Dump Truck, Backhoe & Bobcat & Loader Tractor	(909)350-7700 Police
Public Works Manager	Keith Kramer	(909)350-6644	(909)697-7861	kkramer@fontana.org		
City of Montclair						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Field Supervisor	Xavier Mendez	(909)625-9467	(909)721-1755	mendez@cityofmontclair.or	Sewer Jetter Truck, Camera Van, Water Truck, Backhoe, 5 Yd^3 Dump Truck, 4" Trash Pump, Confined Space Trailer	(909)621-4711 Police
Pretreatment Coordinator	Nicole deMoet	(909)625-9446	(909)721-1776	demoet@cityofmontclair.or		
City of Ontario						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Utilities Operations Manager	Andy Marquez	(909)395-2683	(909)721-8931	amarquez@ontarioca.gov	Vactor/Water Truck, Camera Van, Water Truck, 5 Yd^3 Dump Truck, Backhoe, (2,4,6,8) inch Trash Pump	(909)721-7246
City of Upland						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Environmental Quality Manager	Harrison Nguyen	(909)291-2970		hnguyen@ci.upland.ca.us	810 Vactor Truck, SRECO Flush Truck, Trash Pump	(909)946-7624 Police
Utilities Field Supervisor	Jeremy Gendreau	(909)291-2984	(909)376-1197	jgendreau@ci.upland.ca.us		
Jurupa Community Services District						
Position	Name	Work #	Cell #	Email	Equipment available	On Call #
Sewer Operations Manager	Dan Ducasse	(951)727-8001	(951)660-6973	dducasse@jcsd.us	(2) Vactor Combo Trucks, (1) Straight Jetter, (1) CCTV Van, SSO Bypass Trailer Hose Reel W/ 4" & 6"Hose lengths with 6" HH trash Pump	(951)685-7434
Sewer Systems Supervisor	Jim Payfer	(951)685-7434	(951)675-8692	jpayfer@jcsd.us		

Appendix D – Mutual Aid Agreement

MUTUAL AID AGREEMENT

THIS AGREEMENT is by and between Inland Empire Utilities Agency and the Regional Contracting Agencies consisting of Cities of Chino, Chino Hills, Fontana, Montclair, Ontario, Upland, and Cucamonga Valley Water District.

RECITALS

Whereas, Inland Empire Utilities Agency and the Regional Contracting Agencies are public agencies and each has certain equipment and personnel under its management and control; and

Whereas, the equipment and personnel may be available to assist each agency in the event of a disruption which would affect the water service, sewer service or sewage treatment service provided by each agency to its customers; and

Whereas, neither party should be placed in a position of depleting unreasonably its own resources, facilities, or services in providing such mutual aid; and

Whereas, Inland Empire Utilities Agency and the Regional Contracting Agencies desire to cooperate in providing and sharing available equipment upon request of the other agency under the terms of this Agreement.

NOW, THEREFORE, the undersigned parties hereto agree as follows:

1.

a. In the event of any disruption or damage to the ability of either the Inland Empire Utilities Agency or the Regional Contracting Agencies to continue to serve the public or its customers with water service, sewage service or sewage treatment service, the other party will cooperate to a maximum extent possible, as determined in its discretion, to provide mutual aid assistance as requested.

b. Each party's obligation hereunder shall be expressly contingent upon its manpower and equipment availability, as determined by the responding party in its sole and absolute discretion. Each party's response within the jurisdictional limits of the other party may not interfere with the responding party's responsibility or ability to respond to emergencies or other calls within its own jurisdictional area. Each party shall endeavor to notify the other party in advance when it knows that its equipment or manpower will not be available to respond within the jurisdictional limits of the other party.

2. In the context of this Agreement, "natural or man-made disaster" shall mean a situation or set of circumstances in which property damage or personal injury has occurred or is likely

to occur, the occurrence of which will disrupt the services provided by the Inland Empire Utilities Agency and the Regional Contracting Agencies.

3.

a. Each party to this Agreement shall provide the name(s), address(es), telephone number(s), and title(s) of the responsible employee(s) authorized to request or respond to requests for mutual aid assistance on or before thirty (30) days have elapsed from the date of approval of this Agreement by the last party to approve this Agreement. Only employees of each respective party are eligible. No contract workers shall be assigned.

b. The requesting party agrees to pay as allowed by applicable law, all direct, indirect, administrative and contracted costs of assisting the requesting party incurred by the responding party as a result of providing assistance pursuant to this Agreement, based upon responding party's internal rates or charges for material, equipment, and personnel. Payment shall be made within sixty (60) days after receipt of a detailed invoice. The detailed invoice shall include personnel assigned, classification, dates and hours worked, hourly billing rate and equipment used. The requesting party shall not assume any liability for the direct payment of any salary or wages to any officer or employee of the responding party. The rates, charges and costs referenced herein shall be set forth in exhibits 1 through 8 attached hereto and incorporated herein. Said exhibits may be updated from time to time as needed. If the changes in the exhibits are greater than 10 percent of the previously stated rates, the said changes need to be agreed to by the parties.

c. The party requesting assistance shall specify the type and duration of assistance required.

d. The party responding to the request shall designate the person responsible for the direction and supervision of the personnel and equipment provided to the requesting party, and the requesting party shall direct the disposition and utilization of personnel, equipment and materials furnished in response to such request only through the person so designated.

e. The personnel, equipment, and materials furnished in response to the request for mutual aid shall be released by the requesting party when no longer needed or when the responding party requires return or as required by law.

4. The responsible managing employees of each of the parties to this Agreement shall consult with each other at least one (1) time each calendar year to update the equipment and personnel list, and revise any procedures for requesting and obtaining mutual aid assistance. The equipment and personnel list for each party shall be attached to this agreement as Exhibits 1 through 8.

5. It is agreed by the parties hereto that protection, maintenance, and repair of their own systems and facilities will receive priority in responding to any request for mutual aid assistance.

    a. Each party to this Agreement shall maintain in full force and effect workers compensation insurance without cost to the other party which covers the personnel involved in a response to provide mutual assistance, and therefore each party to this Agreement waives all claims against the other for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement to the extent that such liability is caused by the other party or its employees, directors commissioners, officials, officers, agents, and volunteers. Failure to provide adequate workers compensation insurance by a party shall obligate that party for any and all liabilities that may arise. Each party shall defend, indemnify and hold harmless, pursuant to Section 6 (b) below, the other party with respect to workers' compensation claims filed by their own employees.

    b. The requesting party shall hold harmless, indemnify, and defend the responding party, its elected officials, officers, agents employees, contractors, volunteers and agencies, against all liability, claims, losses, demands or actions for injury to, or death of, a person or persons, or damages to property arising out of, or alleged to arise out of or in consequence of, this Agreement, except to the extent that such liability is caused by the negligence or willful misconduct of the responding party, its elected officials, officers, agents, employees, contractors or volunteers.

    c. The requesting party will pay for any damage to the equipment and material provided by the responding party that occurs during the requested assistance period.

6. No provision of this Agreement and no action taken or personnel, equipment or material furnished pursuant to any such provision shall be construed to make the officer, employee, or agent of either party to this Agreement, the officer, employee or agent of the other party to this Agreement. Furthermore, the parties shall pay all wages, salaries, and other amounts due to their own personnel in connection with any and all services under the Agreement, as well as that which may be required by law. Each party shall be responsible for all reports and obligations respecting their own personnel, including, but not limited to, social security taxes, income tax withholding, unemployment insurance, benefits and workers' compensation insurance. Employees or agents of one party shall not be deemed employees of the other for any purpose.

7. This Agreement shall be effective as of the date all parties have executed the Agreement and shall continue to be in force with respect to all parties signing hereunder, unless terminated by consent of all the parties. Notwithstanding the foregoing, any party may terminate its participation in this agreement upon sixty (60) days written notice of termination to the remaining parties. Termination by any party or parties shall not affect the rights and obligations of any of the remaining parties under this agreement.

8. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

INLAND EMPIRE UTILITIES AGENCY
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91709
Attn: Richard Atwater, CEO/General Manager

CITY OF CHINO
City of Chino
P. O. Box 667
Chino, CA 91708-0667
Attn: Jim Hill, Assistant Director of Public Works/Assistant City Engineer

CITY OF CHINO HILLS
City of Chino Hills
2001 Grand Avenue
Chino Hills, CA 91709
Attn: Mike Maestas, Water and Sewer Manager

CITY OF FONTANA
City of Fontana
16489 Orange Way
Fontana, CA 92335
Attn: Curtis Aaron, Director of Public Services

CITY OF MONTCLAIR
City of Montclair
5111 Benito Street
Montclair, CA 91763
Attn: Marilyn Staats, Director of Redevelopment / Public Works

CITY OF ONTARIO
City of Ontario
1425 South Bon View Avenue
Ontario, California 91761
Attn: Kenneth L. Jeske, Director of Public Works

CITY OF UPLAND
City of Upland
460 North Euclid Avenue
Upland, CA 91786
Attn: Rob Turner, Public Works Director

CUCAMONGA VALLEY WATER DISTRICT
Cucamonga Valley Water District
10440 Ashford Street
Rancho Cucamonga, CA 91730
Attn: Martin E. Zvirbulis, Assistant General Manager / COO

Any notice required to be given hereunder to either party shall be given by personal delivery or by depositing such notice in the US Mail to the address listed with first class postage pre-paid. Such notice shall be deemed made when personally delivered or when mailed. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

9. Inland Empire Utilities Agency and the Regional Contracting Agencies agree that the provisions of this Agreement are not intended to create or clarify any rights in third parties not a party to this Agreement. In addition, no third party shall have the right of action hereunder. This Agreement shall not be enforceable by any parties other than Inland Empire Utilities Agency and the Regional Contracting Agencies.

10. All privileges and immunities of Inland Empire Utilities Agency and the Regional Contracting Agencies provided by state or federal law shall remain in full force and effect.

11. If either party commences an action against the other party, either legal, administrative or otherwise, arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorney's fees and all other costs of such action.

12. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Agreement may only be modified by a writing signed by both parties.

13. This Agreement shall be governed by the laws of the State of California. Venue shall be in San Bernardino County.

14. This Agreement shall be binding on the successors and assigns of the parties, and shall not be assigned by either party without the prior written consent of the other.

15. This Agreement may be executed in counterparts, each of which shall constitute an original.

16. In the event that any provision or portion of this Agreement is determined by a court of competent jurisdiction to be invalid, illegal or unenforceable for any reason, such provision or portion shall be severable from this Agreement. Such invalidity, legality or unenforceability shall not be construed to have any effect on the validity, legality or enforceability of the remaining provisions or portions of this Agreement.

WHEREFORE, the parties hereto have caused this Agreement to be executed in counterpart as the dates indicated.

INLAND EMPIRE UTILITIES AGENCY

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the Inland Empire Utilities Agency Board of Directors, at a regular meeting thereof held on the 21st day of, April 2004.

John L. Anderson — April 21, 2004
John Anderson — Date
President, Board of Directors

ATTEST:

Richard Atwater — April 21, 2004
Richard Atwater — Date
CEO / General Manager

CITY OF CHINO HILLS

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Chino Hills, at a regular meeting thereof held on the 27th day of, January 2004.

Douglas N. LaBelle
City Manager

1/27/04
Date

ATTEST:

Mary McDuffee
City Clerk

02/10/04
Date

CITY OF CHINO

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Chino, at a regular meeting thereof held on the 17th day of, February 2004.

Glen Rojas
City Manager

2-23-04
Date

APPROVED AS TO CONTENT:

Patrick J. Glover, P.E.
Director of Public Works/City Engineer

2.10.04
Date

APPROVED AS TO FORM:

Jimmy L. Gutierrez
City Attorney

Date

ATTEST:

Lenna J. Tanner
City Clerk

2-23-04
Date

CITY OF FONTANA

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Fontana, at a regular meeting thereof held on the _____day of, _____2004.

9A _____ _____
Kenneth R. Hunt Date 3/16/04
City Manager

ATTEST:

_____ _____
Beatrice Watson Date
City Clerk

52

CITY OF MONTCLAIR

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Montclair, at a regular meeting thereof held on the 20th day of, January 2004.

Lee C. McDougal
City Manager

1/26/04
Date

ATTEST:

Donna Jackson
City Clerk

1/26/04
Date

CITY OF ONTARIO

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Ontario, at a regular meeting thereof held on the 3rd day of, February 2004.

Gregory C. Devereaux
City Manager

2/3/04
Date

ATTEST:

City Clerk

2/3/04
Date

CITY OF UPLAND

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Upland, at a regular meeting thereof held on the 12th day of, January 2004.

John V. Pomierski — 1/14/04

John V. Pomierski
Mayor

Date

ATTEST:

Stephanie A. Mendenhall — 1/14/04

Stephanie A. Mendenhall
City Clerk

Date

CUCAMONGA VALLEY WATER DISTRICT

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the Board of Directors of the Cucamonga Valley Water District, at a regular meeting thereof held on the 10th day of, February 2004.

Henry L. Stoy
President, Board of Directors

FEBRUARY 10, 2004
Date

ATTEST:

Robert A. DeLoach
Secretary / General Manager

February 10, 2004
Date

EXHIBIT 1: INLAND EMPIRE UTILITIES AGENCY

TABLE 1: Equipment Rate with Operator Charges

Equipment	Quantity	Hourly Rate
Sterling Vactor / Combination Truck	1	$ 111.62
Ford Vactor/Combination Truck	1	$ 101.62
Camera Van	1	$ 91.62
Water Truck	1	$ 81.62
Truck (1 ton Super Duty)	1	$ 61.62

TABLE 2: Equipment @ Operator Only Charges

Equipment	Quantity	Hourly Rate
Trash Pump, 4"	1	NA
Trailer Mounted Arrow Board	1	NA
Trailer Mounted Pressure Washer	1	NA

Department / Title	Hourly Rate
Environmental Compliance	
Industrial Waste Inspection Supervisor	$ 48.40
Industrial Waste Inspector	$ 44.34
Industrial Waste Technician	$ 34.72
Energy Conservation & Maintenance	
Energy Conservation Administrator	$ 67.02
Senior Plant Maintenance Technician	$ 40.21
Plant Maintenance Technician II	$ 34.75
Plant Maintenance Technician I	$ 26.14

EXHIBIT 2: CITY OF CHINO

Equipment Description *
Pool Car
1/2 Ton Pickup Truck
3/4 Ton Service Truck
1 Ton Pickup Truck
2/3 Yard Dump Truck
5 Yard Dump Truck
10 Yard Dump Truck
2000 Gallon Water Truck
Sewer Vactor Jet Truck
Sewer Jetter Truck
Backhoe
Backhoe Trailer
Hot Patch Asphalt Truck
Case Loader
Asphalt Roller
Plate Compactor
Street Sweeper
Tailored Water Pump
Compressor
Light Tower
Concrete Saw
Arrow Board
Asphalt Paver
Paver Trailer
Sandbagger Machine

Title	Hourly Rate
Maintenance Supervisor	
Grounds Supervisor	$70.20
Streets Supervisor	$78.52
Water Utility Supervisor	$59.83
Maintenance Leadworker	$53.65
Maintenance Worker	$45.13
Environmental Coordinator	$54.53
Environmental Technician	$46.13

* No hourly rate figures for equipment. All equipment costs are factored into the position average hourly rate, and includes salary, benefits and basic operating expenses (which includes all vehicles/equipment associated with each classification) related to that classification.

EXHIBIT 3: CITY OF CHINO HILLS

DESCRIPTION	HOURLY RATE
98 3/4 TON PICK UP	$5.403
00 3/4 TON PICK UP	$5.603
90 DODGE VAN	$4.403
90 FORD HEAVY LEAK TRUCK	$10.714
89 FORD RANGER PICK UP	$3.762
91 CHEVROLET 3/4 TON PICK UP	$5.603
90 CHEVROLET 1/2 TON PICK UP	$4.742
90 CHEVROLET 1/2 TON PICK UP	$4.742
90 CHEVROLET 1/2 TON PICK UP	$4.742
90 CHEVROLET 1/2 TON PICK UP	$4.742
90 CHEVROLET 1/2 TON PICK UP	$4.742
90 CHEVROLET 3/4 TON SERVICE - 4WD	$5.603
91 CHEVROLET S-10 PICK UP	$4.742
91 CHEVROLET S-10 PICK UP	$4.742
91 CHEVROLET S-10 PICK UP	$4.742
91 CHEVROLET S-10 PICK UP	$4.742
91 CHEVROLET S-10 PICK UP	$4.742
91 FORD EXPLORER - 4WD	$7.551
91 FORD EXPLORER - 4WD	$7.551
92 CHEVROLET BLAZER - 4WD	$7.551
91 CHEVROLET S-10 PICK UP	$4.742
92 GMC 3/4 TON PICK UP	$5.603
76 AMC JEEP - 4WD	$7.321
87 CHEVROLET S-10 BLAZER - 4WD	$7.551
89 CHEVROLET 1 TON SERVICE TRUCK LWB	$5.940
89 CHEVROLET 1 TON SERVICE TRUCK W/LIFT	$5.940
87 FORD RANDER MINI - 4WD	$3.400
87 FORD 1/2 TON PICK UP	$4.742
89 CHEVROLET 3/4 TON SERVICE	$4.573
89 CHEVROLET 3/4 TON SERVICE	$4.573
89 CHEVROLET 3/4 TON SERVICE	$4.842
89 CHEVROLET 3/4 TON SERVICE	$4.842
89 CHEVROLET 1 TON SERVICE BED SWB	$5.940

EXHIBIT 3: CITY OF CHINO HILLS

DESCRIPTION	HOURLY RATE
86 DODGE 50 MINI PICK UP	$4.742
89 CHEVROLET 1 TON STAKE DUMP TRUCK	$4.088
90 CHEVROLET 3/4 TON PICK UP	$4.842
90 CHEVROLET 1/2 TON PICK UP - 4WD	$3.762
89 FORD BRONCO - 4WD	$4.654
89 FORD BRONCO - 4WD	$4.654
86 FORD 1 TON FLATBED W/CRANE	$6.053
86 CEHVROLET 1/2 TON PICK UP	$4.742
90 CHEVROLET 3/4 TON SERVICE TRUCK	$4.842
90 CHEVROLET SERVICE TRUCK	$4.842
88 CHEVROLET 1 TON PICK UP	$5.524
88 CHEVROLET 1 TON PICK UP	$5.524
90 FORD BRONCO - 4WD	$7.551
82 CHEVROLET 3/4 TON PICK UP	$4.842
83 CHEVROLET S-10 PICK UP	$4.742
86 CHEVROLET 1 TON DUMP TRUCK	$4.088
89 CHEVROLET STEP SIDE VAN	$6.871
91 DODGE CARAVAN	$2.991
91 DODGE CARAVAN	$2.991
90 DODGE PASSENGER VAN	$4.403
90 DODGE PASSENGER VAN	$4.403
86 AMZ TRAILER	
NEW VACTOR	$33.948
85 FORD VACTOR	$33.948
88 CHEVROLET TV VAN	$9.661
89 FORD 2 TON BRUSH TRUCK	$9.661
88 GMC 5 YARD DUMP TRUCK	$9.661
91 GMC DUMP TRUCK	$9.661
92 GMC DUMP TRUCK	$9.661
89 LONG PORTA POTTY TRAILER	$1.260
90 ZIEMAN 1150 EQUIPMENT TRAILER	$3.677
90 ZIEMAN 1150 EQUIPMENT TRAILER	$3.677
87 LELAN ELECTRIC EEL WITH TRAILER	

EXHIBIT 3: CITY OF CHINO HILLS

DESCRIPTION	HOURLY RATE
ZIEMAN EQUIPMENT TRAILER	$9.925
ZIEMAN EQUIPMENT TRAILER	$9.925
EMERGENCY WATER TRAILER	$15.019
EMERGENCY WATER TRAILER	$15.019
COMPRESSOR - DIESEL	$9.661
EMERGENCY LIGHT TRAILER - LT155	$6.059
90 LONG PORTA POTTY TRAILER	$1.260
MILLER WELDER	$10.633
91 CASE TRACTOR	$21.743
INTERNATIONAL HARVESTER	$30.366
88 CASE BACKHOE 580K	$31.385
79 CASE BACKHOE 580C	$31.385
NEW HOLLAND LOADER/SWEEPER	$14.776
90 CASE BACKHOE 580K - 4WD	$31.385
6" TRASH PUMP	$6.059
COMPRESSOR - DIESEL	$9.661
GENERATOR	$28.628
GENERATOR	$28.628
CHAMP FORKLIFT	$35.278
EMERGENCY LIGHT TRAILER - LT150	$6.059
ARROW BOARD - 8210	$6.059
ARROW BOARD - 8207	$6.059
90 CANOGA CEMENT MIXER	
KUBOTA TRACTOR	$14.642
BRUSH CHIPPER - DIESEL	$9.989

EXHIBIT 3: CITY OF CHINO HILLS

Department / Title	Regular Hourly Rate	Overtime Hourly Rate
Maintenance & Operations Manager	$54.42	$81.63
Water and Sewer Manager	$54.42	$81.63
Customer Service Supervisor	$37.41	$56.11
Facilities Maintenance Supervisor	$37.41	$56.11
Landscape Contract Supervisor	$38.68	$58.02
Parks and Open Space Supervisor	$38.68	$58.02
Roads Maintenance Supervisor	$37.41	$56.11
Sanitation Supervisor	$37.41	$56.11
Water Distribution Supervisor	$37.41	$56.11
Water Production Supervisor	$37.41	$56.11
Administrative Analyst II	$37.36	$56.04
Administrative Secretary	$29.14	$43.71
Senior Maintenance Worker	$28.71	$43.06
Senior Administrative Clerk	$25.26	$37.89
Secretary	$25.40	$38.10
Maintenance Worker II	$26.29	$39.44
Water Quality Technician	$31.25	$46.88
Maintenance Worker I	$24.10	$36.15

EXHIBIT 4: CITY OF FONTANA

INSERT THE PDF DOCUMENT FOR THE CITY OF FONTANA

EXHIBIT 5: CITY OF MONTCLAIR

Equipment Description	Quantity	Hourly Rate
Sewer Jetter Truck	1	$ 45.00
TV Inspection Truck	1	$ 20.00
Water Truck	1	$15.00
Backhoe	1	$23.00
5-Yard Dump Truck	1	$29.00
¾ ton Pickup Truck	1	$10.00
Confined Space Trailer (includes blower, generator, tripod air system, communication, etc.)	1	$35.00
Trailer Mounted Arrow Board	2	$3.00
Miscellaneous Equipment		
4" Trash Pump w/375 ft. hose	1	$27.00
Concrete Saw	1	$14.00
Welding Trailer	1	$5.00

Department / Title	Persons Available	Billable Hourly Rate	Overtime Billable Hourly Rate
Public Works Superintendent	1	$38.79	$58.19
Assistant Public Works Superintendent	1	$27.48	$41.22
Environmental Control Specialist	2	$22.74	$34.11
NPDES Coordinator	1	$22.34	$33.51
Maintenance Lead Worker	3	$20.15	$30.23
Maintenance Worker	12	$17.49	$26.24
Street Sweeper Operator	2	$18.89	$28.36
Equipment Supervisor	1	$28.12	$42.18
Equipment Mechanic	2	$20.06	$30.09

EXHIBIT 6: CITY OF ONTARIO

Department/Titles	Persons Available	Treatment Grade	Actual Billable Hourly Rate
INSPECTION/INDUSTRIAL WASTE/CROSS-CONNECTION			
Environmental Programs Manager	1	2	$65.96
Water Quality Specialist	2	2	$52.16
Water/Wastewater Tech	1	2	$44.24
Environmental Technician	1	2	$34.42
PRODUCTION DEPARTMENT			
Water Production Specialist	1	3	$52.16
Water Production Operator	3	2	$43.59
OPERATIONS DEPARTMENT		**Distribution Grade**	
Utilities Operations Manager	2	4	$69.81
Utilities Systems Specialist	3	2	$53.59
Tech II	4	2	$43.89
Tech I	8	2	$39.72
Utilities Maintenance Worker II	10	2	$33.97
Utilities Maintenance Worker I	3		$27.08
Number of Employees with welding experience	2		

EXHIBIT 6: CITY OF ONTARIO

Equipment Description	Quantity	Hourly Rate
Backhoe	2	20.02
Crane	1	15.97
Light Tower Trailer	2	2.73
Service Truck (water)	3	12.49
TV Video Van	1	46.28
Vactor / Water Truck (2000 gals)	1	67.28
Valve Exercising Machine Truck Mounted w/ Arrow Board & Vacuum	1	11.15
2" Trash Pump	4	3.03
6" Trash Pump	1	12.91
Miscellaneous Equipment		
Manhole Blowers	3	"
Concrete Saw	2	"
Pipe Locator	5	"

EXHIBIT 8: CUCAMONGA VALLEY WATER DISTRICT

Equipment Description	Quantity	Hourly Rate*
Loader	1	$ 27.66
Crane	1	$15.97
Backhoe	3	$ 20.02
Skiploader	1	$ 13.10
Dump Truck (5cu. Yd.)	2	$ 35.51
Water Truck (2,000 gal)	1	$ 24.52
Crew Truck (multi-purpose)	1	$ 12.49
TV Video Van	1	$ 46.28
Vactor (sewer)	2	$ 67.28
Vactor (water)	1	$ 67.28
Emergency Sewer Van	1	$ 15.53
Air Compressor (trailer mount)	3	$ 7.78
Arc Welder (trailer mount)	1	$ 2.39
Arc Welder (truck mount)	2	$ 4.34
Backhoe Trailer	1	$ 12.04
Light Tower Trailer	1	$ 2.73
Arrow boards (trailer mount)	2	$ 2.86
Valve Exercising Machine (truck mount)	2	$ 12.49
Valve Can Cleanout Trailer	1	$ 11.15
2" Trash Pump	4	$ 3.03
3" Trash Pump	2	$ 5.94
4" Trash Pump	2	$ 11.09
6" Trash Pump (trailer mount w/3000' hose reel)	1	$ 12.91
Miscellaneous Equipment		
Jack Hammers	3	No Charge
Leak Detectors	2	"
Manhole Blowers	1	"
Hot Tap Machine	2	"
Asphalt Tamper	3	"
Pipe Threading Machine	1	"
Portable Pressure Washer	1	"
Pipe Locator	5	"
Hydraulic Pipe Cutter	1	"

* Does not include operator (where applicable)

EXHIBIT 7: CITY OF UPLAND

Equipment Description	Quantity	Hourly Rate
¾ Ton Truck with Utility	1	$ 6.87
Trash Pump	1	$ 1.58
810 Vactor Truck	1	$ 22.57
SRECO Flush Truck	1	$ 18.34

Department / Title	Hourly Rate
Sewer Utility Personnel	$41.71

EXHIBIT 8: CUCAMONGA VALLEY WATER DISTRICT

Department/Titles	Persons Available	Treatment Grade	Actual Billable Hourly Rate	Abated Billable Hourly Rate
INSPECTION/INDUSTRIAL WASTE/CROSS-CONNECTION				
Inspection Superintendent	1			$ 41.88
Construction Inspectors	3			$ 30.86
Industrial Waste Inspectors	3			$ 39.90
Cross-Connection Inspectors	2			$ 31.16
TREATMENT DEPARTMENT				
Water Treatment Plant Superintendent	1	5	3	$ 48.27
Water Treatment Plant Operator	1	4	3	$ 31.03
Water Treatment Plant Operator	8	3	3	$ 31.03
Water Quality Specialist	1	3	3	$ 30.86
PRODUCTION DEPARTMENT				
Water Production Superintendent	1	2	2	$ 39.13
Pump Operators	5	2	2	$ 35.23
Instrumentation Technician	1	2	2	$ 29.37
MAINTENANCE DEPARTMENT				
Construction & Maintenance Superintendent	1	4	3	$ 48.61
Water Maintenance Foreman	1	*	*	$ 35.26
Sewer Maintenance Foreman	1	*	*	$ 25.32
Water / Sewer Maintenance Worker	14	*	*	$ 27.86
Fleet & Equipment Mechanic	2			
Number of Employees with Class A license	11			
Number of Employees with Class A license	15			
Number of Employees with welding experience	5			

* Have Treatment & Distribution Grades ranging from 1 to 3

AMENDMENT ONE TO MUTUAL AID AGREEMENT

THIS AGREEMENT AMENDMENT ONE is by and between Inland Empire Utilities Agency, the Regional Contracting Agencies consisting of Cities of Chino, Chino Hills, Fontana, Montclair, Ontario, Upland, Cucamonga Valley Water District, and Jurupa Community Services District, henceforth referred to as "party" or "parties "

RECITALS

Whereas, Inland Empire Utilities Agency, the Regional Contracting Agencies, and Jurupa Community Services District (JCSD) are public agencies and each has certain equipment and personnel under its management and control, and

Whereas, the equipment and personnel may be available to assist each agency and JCSD in the event of a disruption which would affect the water service, sewer service or sewage treatment service provided by each agency and JCSD to its customers, and

Whereas, no party should be placed in a position of depleting unreasonably its own resources, facilities, or services in providing such mutual aid; and

Whereas, Inland Empire Utilities Agency, the Regional Contracting Agencies, and JCSD desire to cooperate in providing and sharing available equipment upon request of the other party under the terms of this Agreement

NOW, THEREFORE, the undersigned parties hereto agree as follows

1

a In the event of any disruption or damage to the ability of either the Inland Empire Utilities Agency, the Regional Contracting Agencies, or JCSD to continue to serve the public or its customers with water service, sewage service or sewage treatment service, the other parties will cooperate to a maximum extent possible, as determined in its discretion, to provide mutual aid assistance as requested.

b Each party's obligation hereunder shall be expressly contingent upon its manpower and equipment availability, as determined by the responding party in its sole and absolute discretion Each party's response within the jurisdictional limits of the other party may not interfere with the responding party's responsibility or ability to respond to emergencies or other calls within its own jurisdictional area
Each party shall endeavor to notify the other party in advance when it knows that its equipment or manpower will not be available to respond within the jurisdictional limits of the other party

2 In the context of this Agreement, "natural or man-made disaster" shall mean a situation or set of circumstances in which property damage or personal injury has occurred or is likely to occur, the occurrence of which will disrupt the services provided by the Inland Empire Utilities Agency, the Regional Contracting Agencies, and JCSD

1

3

a Each party to this Agreement shall provide the name(s), address(es), telephone number(s), and title(s) of the responsible employee(s) authorized to request or respond to requests for mutual aid assistance on or before thirty (30) days have elapsed from the date of approval of this Agreement by the last party to approve this Agreement Only employees of each respective party are eligible No contract workers shall be assigned

b The requesting party agrees to pay as allowed by applicable law, all direct, indirect, administrative and contracted costs of assisting the requesting party incurred by the responding party as a result of providing assistance pursuant to this Agreement, based upon responding party's internal rates or charges for material, equipment, and personnel Payment shall be made within sixty (60) days after receipt of a detailed invoice The detailed invoice shall include personnel assigned, classification, dates and hours worked, hourly billing rate and equipment used
The requesting party shall not assume any liability for the direct payment of any salary or wages to any officer or employee of the responding party

c. The party requesting assistance shall specify the type and duration of assistance required.

d. The party responding to the request shall designate the person responsible for the direction and supervision of the personnel and equipment provided to the requesting party, and the requesting party shall direct the disposition and utilization of personnel, equipment and materials furnished in response to such request only through the person so designated

e The personnel, equipment, and materials furnished in response to the request for mutual aid shall be released by the requesting party when no longer needed or when the responding party requires return or as required by law

4 Should the responsible managing employees change from those listed in Section 3 above, the respective agency shall update the personnel list and provide a copy to each party hereto.

5. It is agreed by the parties hereto that protection, maintenance, and repair of their own systems and facilities will receive priority in responding to any request for mutual aid assistance

a Each party to this Agreement shall maintain in full force and effect workers compensation insurance without cost to the other party which covers the personnel involved in a response to provide mutual assistance, and therefore each party to this Agreement waives all claims against the other for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement to the extent that such liability is caused by the other party or its employees, directors commissioners, officials, officers, agents, and volunteers. Failure to provide adequate workers compensation insurance by a party shall obligate that party for any and all liabilities that may arise Each party shall defend, indemnify and hold harmless, pursuant to Section 5 (b) below, the other party with respect to workers' compensation claims filed by their own employees

2

b The requesting party shall hold harmless, indemnify, and defend the responding party, its elected officials, officers, agents employees, contractors, volunteers and agencies, against all liability, claims, losses, demands or actions for injury to, or death of, a person or persons, or damages to property arising out of, or alleged to arise out of or in consequence of, this Agreement, except to the extent that such liability is caused by the negligence or willful misconduct of the responding party, its elected officials, officers, agents, employees, contractors or volunteers

c The requesting party will pay for any damage to the equipment and material provided by the responding party that occurs during the requested assistance period, unless such damage is caused by the sole negligence of the responding party

6 No provision of this Agreement and no action taken or personnel, equipment or material furnished pursuant to any such provision shall be construed to make the officer, employee, or agent of either party to this Agreement, the officer, employee or agent of the other party to this Agreement Furthermore, the parties shall pay all wages, salaries, and other amounts due to their own personnel in connection with any and all services under the Agreement, as well as that which may be required by law Each party shall be responsible for all reports and obligations respecting their own personnel, including, but not limited to, social security taxes, income tax withholding, unemployment insurance, benefits and workers' compensation insurance Employees or agents of one party shall not be deemed employees of the other for any purpose

7 This Agreement shall be effective as of the date all parties have executed the Agreement and shall continue to be in force with respect to all parties signing hereunder, unless terminated by consent of all the parties Notwithstanding the foregoing, any party may terminate its participation in this agreement upon sixty (60) days written notice of termination to the remaining parties Termination by any party or parties shall not affect the rights and obligations of any of the remaining parties under this agreement

8 All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose

INLAND EMPIRE UTILITIES AGENCY
Inland Empire Utilities Agency
6075 Kimball Avenue
Chino, CA 91708
Attn· P Joseph Grindstaff, General Manager

CITY OF CHINO
City of Chino
P O Box 667
Chino, CA 91708-0667
Attn Jose Alire, Assistant City Manager/Public Works

3

CITY OF CHINO HILLS
City of Chino Hills
2001 Grand Avenue
Chino Hills, CA 91709
Attn Nadeem Majaj, Public Works Director

CITY OF FONTANA
City of Fontana
16489 Orange Way
Fontana, CA 92335
Attn. Chuck Hays Director of Public Works

CITY OF MONTCLAIR
City of Montclair
5111 Benito Street
Montclair, CA 91763
Attn Mike Hudson, Public Works Director

CITY OF ONTARIO
City of Ontario
1425 South Bon View Avenue
Ontario, California 91761
Attn Scott Burton, Utilities General Manager

CITY OF UPLAND
City of Upland
460 North Euclid Avenue
Upland, CA 91786
Attn Rosemary Hoerning, Public Works Director

CUCAMONGA VALLEY WATER DISTRICT
Cucamonga Valley Water District
10440 Ashford Street
Rancho Cucamonga, CA 91730
Attn. Martin E Zvirbulis, Board Secretary / General Manager / CEO

JURUPA COMMUNITY SERVICES DISTRICT
Jurupa Community Services District
1201 Harrel Street
Jurupa Valley, CA 91752
Attn: Robert O Tock, Director of Engineering & Operations

Any notice required to be given hereunder to either party shall be given by personal delivery or by depositing such notice in the US Mail to the address listed with first class postage pre-paid Such notice shall be deemed made when personally delivered or when mailed Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service

4

9 Inland Empire Utilities Agency and the Regional Contracting Agencies agree that the provisions of this Agreement are not intended to create or clarify any rights in third parties not a party to this Agreement In addition, no third party shall have the right of action hereunder. This Agreement shall not be enforceable by any parties other than Inland Empire Utilities Agency, the Regional Contracting Agencies, and JCSD

10 All privileges and immunities of Inland Empire Utilities Agency, the Regional Contracting Agencies, and JCSD provided by state or federal law shall remain in full force and effect

11 If a party or parties commences an action against the other party or parties, either legal, administrative or otherwise, arising out of or in connection with this Agreement, the prevailing party or parties in such litigation shall be entitled to have and recover from the losing party or parties reasonable attorney's fees and all other costs of such action

12 This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements This Agreement may only be modified by a writing signed by all parties.

13 This Agreement shall be governed by the laws of the State of California Venue shall be in San Bernardino County

14 This Agreement shall be binding on the successors and assigns of the parties, and shall not be assigned by either party without the prior written consent of the other

15 This Agreement may be executed in counterparts, each of which shall constitute an original

16 In the event that any provision or portion of this Agreement is determined by a court of competent jurisdiction to be invalid, illegal or unenforceable for any reason, such provision or portion shall be severable from this Agreement Such invalidity, legality or unenforceability shall not be construed to have any effect on the validity, legality or enforceability of the remaining provisions or portions of this Agreement

[Balance Of This Page Intentionally Left Blank]

WHEREFORE, the parties hereto have caused this Agreement to be executed in counterpart as the dates indicated

INLAND EMPIRE UTILITIES AGENCY

I HEREBY CERTIFY that the foregoing agreement amendment was duly executed pursuant to authorization by the Inland Empire Utilities Agency Board of Directors, at a regular meeting thereof held on the 15th day of January, 2014

Terry Catlin
President, Board of Directors

01/15/2014
Date

ATTEST:

April Woodruff
Board Secretary/Office Manager

1.15.14
Date

CITY OF CHINO

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Chino, at a regular meeting thereof held on the

17th day of December, 2013

Matthew Ballantyne
City Manager

3.24.14
Date

APPROVED AS TO CONTENT:

Jose Alire
Assistant City Manager/Public Works

3-20-2014
Date

APPROVED AS TO FORM

for Jimmy L Gutierrez
City Attorney

03/19/14
Date

ATTEST:

Angela Robles
City Clerk

3-24-14
Date

CITY OF CHINO HILLS

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by City Council of the City of Chino Hills, at a regular meeting thereof held on the

22nd day of October, 2013

Peter J. Rogers
Mayor

October 22, 2013
Date

ATTEST:

Mary McDuffee
City Clerk

October 22, 2013
Date

8

CITY OF FONTANA

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Fontana, at a regular meeting thereof held on

the 14th day of January, 2014.

Kenneth R. Hunt
City Manager

Date 1/21/14

ATTEST:

Tonia Lewis
City Clerk

Date 1/21/14

CITY OF MONTCLAIR

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by City Council of the City of Montclair, at a regular meeting thereof held on the

_____ day of _____, _____.

Edward C. Starr
City Manager

2/6/14
Date

ATTEST:

Yvonne Smith
Deputy City Clerk

2.10.14
Date

CITY OF ONTARIO

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Ontario, at a regular meeting thereof held on the 3rd day of December, 2013

Chris Hughes
City Manager

December 3, 2013
Date

ATTEST

Mary E. Wirtes
City Clerk

December 3, 2013
Date

CITY OF UPLAND

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Upland, at a regular meeting thereof held on the

11th day of November, 2013

Ray Musser
Mayor

November 13, 2013
Date

ATTEST.

Stephanie A. Mendenhall
City Clerk

November 13, 2013
Date

12

CUCAMONGA VALLEY WATER DISTRICT

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the Board of Directors of the Cucamonga Valley Water District, at a regular meeting thereof

held on the 28th day of January, 2014.

Oscar Gonzalez
President, Board of Directors

01-28-14
Date

ATTEST:

Martin E. Zvirbulis
Board Secretary / General Manager / CEO

01-28-14
Date

13

JURUPA COMMUNITY SERVICES DISTRICT

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the Board of Directors of the Jurupa Community Services District, at a regular meeting thereof held on the 15th day of October, 2013

Robert Craig
Board President

October 15, 2013
Date

ATTEST.

Julie B. Saba
Board Secretary

October 15, 2013
Date

APPROVED AS TO FORM:

Mike Riddell
District Legal Counsel, Best Best & Krieger

10/15/13
Date

14

CITY OF ONTARIO

I HEREBY CERTIFY that the foregoing agreement was duly executed pursuant to authorization by the City Council of the City of Ontario, at a regular meeting thereof held on the 3rd day of December, 2013.

Chris Hughes
City Manager

December 3, 2013
Date

ATTEST:

for Mary E. Wirtes
City Clerk

Asst. City Clerk December 3, 2013
Date

Appendix E – SSO Field Report Form

ONTARIO MUNICIPAL UTILITIES COMPANY

SSO Field Report Form

Name _____ Date _____ Work Order #_____ Reviewer's Initials_____

I. **SSO Classifications**

A. Category 1 SSO: Discharges of sewage of any volume that reach surface water and/or reach a drainage channel tributary to a surface water that is not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly.

B. Category 2 SSO: Discharges of sewage greater than 1,000 gallons that does not reach surface water and or drainage channel. If the discharge reaches the storm drain it must be fully recovered and disposed of properly.

C. Category 3 SSO: All other discharges of sewage resulting from a sewer system failure or flow condition.

C. Private Lateral Discharges: Discharges caused by blockages or other problems within a privately owned lateral.

II. **SSO Reporting Requirements**

A. Category 1 Spills of 1,000 gallons or more:

Call Cal OES (800.852.7550) **within 2 hours of knowledge of the spill**. If office is closed, leave detailed message with return phone number. Be prepared to provide the following:

Estimated volume discharged (gallons)
Estimated discharge rate if still going (gpm)
Incident description:
Brief narrative:
On-scene point of contact (name & number)
Start date and time of SSO
Name of City
Cause of SSO
Has SSO been contained?
Has surface water been impacted?
SSO location (address, city, state, zip)

B. Category I & 2:

1. Email RWQCB (ktheisen@waterboards.ca.gov) **within 24 hours of knowing of the SSO**, to notify that OES has been notified.
2. Submit Draft Report online in CIWQS **within 3 business days of knowing of the SSO**.
3. Send a written report with photos via regular mail or email to RWQCB **within 5 business days of knowing of the SSO**.
4. Final Report must be certified online in CIWQS **within 15 calendar days of clean-up**.

If Discharge Enters Flood Control Channel Contact S.B. County Flood Control District:
During Office Hours: 909.899.4366. After Hours: 909.356.3805.

C. Category 3: Information on the following pages must be reported online in CIWQS **within 30 days of the last day of the month in which the SSO occurred.**

Physical Location Details:

Spill Location Name: _____

Latitude of Spill Location: _____

Longitude of Spill Location: _____

Street Number:_____ Street Direction: (N,E,S,W)_____

Street Name: _____

Cross Street: _____

City: Ontario State: CA Zip Code:_____

County: San Bernardino

Spill Location Description: _____

Regional Water Quality Control Board: Region 8 - Santa Ana

Spill Details:

Spill Appearance Point: (Mark all that apply)

☐ Building or Structure ☐ Force Main or Pressure Sewer ☐ Other Sewer System Structure

☐ Gravity Sewer ☐ Manhole ☐ Pump Station ☐ Other (Specify Below)

Spill Appearance Point Explanation: _____

Did the spill discharge to a drainage channel and/or surface water? ☐ Yes ☐ No

Did the spill reach a storm drainpipe? ☐ Yes ☐ No

If spill reached a storm drainpipe, was all of the wastewater fully captured and returned to the sanitary sewer system? ☐ Yes ☐ No ☐ N/A

Private Lateral Spill ☐ Yes ☐ No

Name of Responsible Party (for private lateral spills only, if known): _____

Final Spill Destination (check one): ☐ Basin ☐ Building or Structure

☐ Other Paved Surface ☐ Storm Drain ☐ Street/Curb and Gutter

☐ Surface Water ☐ Unpaved Surface ☐ Other (specify below)

Explanation of Final Spill Destination (if spill destination is "other"): _____

Estimated Spill Volume:_____ Estimated Volume of Spill Recovered: _____

Estimated Current Spill Rate (if applicable): _____

Estimated Spill Start Date/Time: _____

Date and Time Sanitary Sewer System Agency was Notified of or Discovered Spill: _____

Estimated Operator Arrival Date/Time: _____

Estimated Spill End Date/Time: _____

Spill Cause: **Page 3 of 4**

☐ Debris-General ☐ Debris-Rags ☐ Flow exceeded capacity
☐ Grease Deposition (FOG) ☐ Operator Error ☐ Pipe Structural Problem/Failure
☐ Pump Station Failure ☐ Rainfall Exceeded Design ☐ Root Intrusion
☐ Vandalism ☐ Other (specify below)

Spill Cause Explanation (if "Spill Cause" is "Other"): _____

Where did failure occur? (Choose One): ☐ Upper Lateral ☐ Main ☐ Lower Lateral ☐ Other

Explanation of Where Failure Occurred (if "Where did Failure occur" is "Other"): _____

If Spill Caused by Wet Weather, size of storm: _____

Diameter of Sewer Pipe at Point of Blockage or Spill Cause (if applicable): _____

Material of Sewer Pipe at Point of Blockage or Spill Cause (if applicable): _____

Estimated Age of Sewer Pipe at Point of Blockage or Spill Cause (if applicable): _____

Description of Terrain Surrounding Point of Blockage or Spill Cause (if applicable):

☐ Flat ☐ Mixed ☐ Steep

Spill Response Activities (choose all that apply):

☐ Cleaned-up (Mitigated effects of spill) ☐ Inspected sewer using CCTV to determine cause
☐ Contained all or portion of spill ☐ Restored flow
☐ Returned all or portion of spill to sanitary sewer system ☐ Other (specify below)

Explanation of Spill Response Activities: _____

_____

_____

Spill response completion Date and Time: _____

Visual Inspection Results from Impacted Receiving Water: _____

Health Warnings Posted? ☐ Yes ☐ No

Name if impacted surface water(s) (enter NA if not applicable): _____

Is there an ongoing investigation? ☐ Yes ☐ No

Water Quality Samples Analyzed for: (Choose all that apply): **Page 4 of 4**

☐ Dissolved oxygen ☐ Other chemical indicators (specify below)

☐ Biological indicators (specify below) ☐ No water quality samples taken

☐ Not applicable to this spill ☐ Other (specify below)

Explanation of water quality samples analyzed for (if "Water Quality Samples Analyzed for" is "Other chemical indicators", "Biological indicators", or "Other") : _____

Water Quality Samples Reported To (choose all that apply):

☐ County Health Agency ☐ Regional Water Quality Control Board ☐ None of the above

☐ No Water quality samples taken ☐ Not applicable to this spill ☐ Others

Explanation of water quality samples results reported to (if "Water quality samples results reported to" is "others":

_____

Spill Corrective Action Taken (choose all that apply):

☐ Added to preventive maintenance program ☐ Adjusted schedule/method of preventive maintenance

☐ Enforcement action against FOG source ☐ Plan rehabilitation or replacement of sewer

☐ Repaired sewer ☐ Other (specify below)

Explanation of Spill corrective action Taken: _____

_____

_____

Overall Spill Description:_____

_____

_____

Notification Details

Cal OES Control Number: _____

Cal OES Call Time/Date (Required for Category 1 Spill Report): _____

Appendix F - Sewer Pipeline Construction Specifications

BASIC SPECIFICATIONS

SEWER PIPELINE CONSTRUCTION SPECIFICATIONS
(In addition to Green Book Standards)

1.1 Earthwork

1.1.1 General
(Green Book)

1.1.2 Clearing and Grubbing
(Green Book)

1.1.3 Grading Along Pipeline
(Green Book)

1.1.4 Trench Excavation

General
(Green Book)

Limit of Excavation
(Green Book).

Tunneling
Tunneling will be permitted only where native earth is of such firmness that it will remain in its original position, without sloughing off, throughout the work of excavation and backfilling; if sloughing occurs, the roof of the tunnel shall be broken down and the trench excavated as an open trench as herein specified.

Trench Width
The maximum allowable trench width, at the top of the pipe, is the outside diameter of the barrel plus ten (10) inches on either side of the exterior of the pipe barrel. Where the trench width at the top of the pipe is wider than ten (10) inches on either side of the exterior of the pipe barrel, the pipe shall be backfilled from the bottom of the trench to a level one-fourth (1/4) of the diameter above the center of the pipe with Class "B" concrete to form a cradle for the pipe, or with -crushed rock as directed by the City.

1.1.5 Trench and Excavation Shoring
(Green Book)

1.1.6 Pipe Bedding

General
All pipe bedding shall be of the type indicated on the plans and shall be in accordance with the pipe bedding Standard Drawings.

Unstable Material
(Green Book)

Rock
Where rock is encountered, it shall be removed below grade, and the trench backfilled with suitable material to provide a compacted earth cushion with a thickness under the pipe of not less than 1/2 inch per inch of nominal diameter of the pipe to be installed, with a minimum allowable thickness of 6 inches.

1.1.7 Special Crushed Rock Bedding

When groundwater is encountered in the excavation, or when soft, spongy and unstable material is encountered in the bottom of the trench, and when approved by the City, the material in the bottom of the trench shall be removed to a depth directed by the City and replaced with 3/4 inch maximum crushed rock bedding. The crushed rock bedding shall be installed and compacted as shown on the Standard Drawing within these Specifications. The 3/4 inch maximum crushed rock material shall be approved by the City before use. In addition, two (2) slurry cofferdams shall be placed between each manhole as approved by the City.

Crushed rock shall be the product of crushing rock or gravel. Fifty percent of the particles by weight retained on a 3/8-inch sieve shall have their entire surface area composed of faces resulting from fracture due to mechanical crushing. Not over 5% shall be particles that show no faces resulting from crushing. Less than 10% of the particles that pass the 3/8-inch sieve and are retained on the No. 4 sieve shall be waterworn particles. Gravel shall not be added to crushed rock. Crushed rock shall have the following gradation:

Sieve Sizes	Clay Pipe Institute ASTM D 448-67 % Passing
1"	100
3/4"	90-100
3/8"	20-55
No. 4	0-10
No. 8	0-5

1.1.8 Trench Backfill and Compaction Requirements

Pipe Zone
(Green Book)

Procedure Above Pipe Zone
(Green Book)

Compaction Above Pipe Zone
(Green Book)

Compaction Tests
Compaction tests shall be made at intervals not greater than 250', and in addition at least 20% of all service laterals shall be tested. The tests shall be in accordance with the Section herein entitled "Geotechnical Testing" and shall be made at varying depths at each test interval. All trench backfill shall be compacted to City Standards.

It shall be the Contractor's responsibility to advise the City two working days prior to performing compaction tests.

Excess Excavated Material
(Green Book)

Imported Backfill Material
(Green Book)

1.1.9 Geotechnical Testing

The Developer or Contractor shall engage the services of a geotechnical engineering firm or individual licensed in the State of California to monitor soil conditions during earthwork, trenching, bedding, backfill and compaction operations. Sampling and testing procedures shall be performed in accordance with the Reference Standards and as follows:

A. The soils technician shall be present at the site during all backfill and compaction operations. Failure to have the soils technician present will subject such operations to rejection.
B. Density and optimum moisture content of soil shall be determined by the use of the sand cone method, ASTM D 1556, or nuclear density gauge method, ASTM D 2922 & D 3012. Since the composition of the pipe and the walls of the trench have an effect on the nuclear density gauge output, a minimum of 25% of the density and optimum moisture tests shall be made using the sand cone method.
C. Determine laboratory moisture-density relations of existing soil by ASTM D 1557, Method C and/or D (formerly ASTM D 4253 and ASTM D 4254).
D. Determine the relative density of cohesionless soils by ASTM D 1557, Method C and/or D (formerly ASTM D 4253 and ASTM D 4254).
E. Sample backfill material by ASTM D 75.
F. Express "relative compaction" as a percentage of the ratio of the in-place dry density to the laboratory maximum dry density.

A report of all soils tests performed shall be stamped and signed by the soils firm or individual and shall be submitted by the Contractor prior to the filing of the Notice of Completion or acceptance by the City. The report shall document the sampling and testing of materials, the location and results of all tests performed, and shall certify that materials and work are in compliance with this specification.

1.2 Sewer Pipe Installation

1.2.1 General

The Contractor shall furnish and install all sewer pipeline material required for the construction of the sewer and appurtenances as herein specified and shown on the Drawings. All pipeline material shall be installed per manufacturer's published recommendations and per the applicable published standards for the particular material being installed unless otherwise modified herein. In case of any conflict, the most stringent and highest requirement shall govern, and the Contractor shall adhere to said requirement.

1.2.2 Installation of Pipelines

Pipe laying shall proceed up-grade with the spigot ends of bell-and-spigot pipe pointing in the direction of the flow. Each pipe shall be laid true to line and grade and in such manner as to form a close concentric joint with the adjoining pipe, following manufacturer's instructions for the specific jointing method being used. Any pipe which is not in true alignment or shows any undue settlement after laying shall be taken up and relaid.

Notwithstanding prior factory or yard inspection, the City shall have the right to reject any damaged or defective pipe found on the job which in his opinion will affect the durability of the installation, and the City may order its removal from the work. Pipe shall be accurately laid to alignment and grade shown on the drawings or established by the City. Grade stakes are to be provided to establish the proper pipeline grade, pipe shall be laid to grade within a tolerance of 0.02', or 0.05' cumulative deviation from elevations set at 100' stations.

Standing water or sags will not be allowed and will require reconstruction. It shall be the Contractor's responsibility to prove to the City's satisfaction that sags do not exceed the limit stated. Lines must be replaced if visual measurements and documentation cannot be provided.

Due to unacceptably high operation and maintenance costs and poor system reliability, pipelines with sag depths exceeding ½-inch will be rejected. Reconstruction of the entire length of standing water plus 20 feet on each side of the standing water will be required. Damaged pipe must be removed and not reused

At all times when the work of installing sewer pipeline is not in progress, all openings into the pipe and the ends of the pipe in the trench shall be kept tightly closed to prevent entrance of animals and foreign materials. The Contractor shall take all necessary precautions to prevent the pipe from floating due to water entering the trench from any source. The Contractor shall assume full responsibility for any damage due to any cause and shall restore and replace the pipe to its specified condition and grade if it is damaged during construction.

Where sewer lines are placed crossing above existing waterlines, ductile iron pipe with hot dip bituminous coating shall be used 10 feet on each side of the waterline (or suitable concrete encasement in accordance with State Health Department requirements).

1.2.3 Sewer Constructed on Radius

Whenever portions of the proposed sewer construction are to be installed on the radius of a curve, the minimum radius and installation of the pipe shall be in accordance with the manufacturer's recommendations.

1.2.4 Cleaning

Before final acceptance of sewer facilities or prior to putting any sewer into service, all sewer facilities shall be visually checked and all foreign objects, materials or obstructions removed from the facilities. The City shall require that the facilities be cleaned by flushing, balling, rodding or other means so that the materials may be removed from the system.

1.3 Manholes

1.3.1 General

The manholes shall be constructed in accordance with the Standard Drawing, and at the locations shown on the plans. All concrete used in the manholes shall be Class "A" Concrete, unless otherwise indicated herein. (Class A concrete is 4,000 psi.)

1.3.2 Precast Concrete Sections

Precast manhole sections shall conform to the size, shape, form and details shown on the Standard Drawing. The precast cylinder units and precast eccentric top sections shall meet the strength requirements for "Precast Reinforced Concrete Manhole Risers and Tops", ASTM C 478. Each manhole section shall be set in a bed of grout to make a watertight joint and shall be neatly pointed on the inside and shall be set perfectly plumb. Sections of various heights shall be used in order to bring the top of the manhole ring and cover to the elevation shown on the plans.

Precast concrete rings are to be joined with a minimum thickness of one-half inch (1/2") of Portland cement mortar. Mortar for joining ring section shall be composed of not less than one (1) part portland cement to two (2) parts of clean, well-graded sand of such size that all will pass a No. 8 sieve. Mortar sand shall conform to the strength requirements specified for mortar strength under ASTM C-82.

1.3.3 Manhole Bases

Manhole bases shall be constructed of Class "A" concrete poured against native undisturbed material and to the form and dimensions shown on the Standard Drawing. The manhole base shall be poured as one monolithic pour. If the Contractor overexcavates beyond the vertical dimensions shown on the Standard Drawing, the depth of concrete below the invert of the pipe shall be increased to greater than the 9-inch minimum as required to meet undisturbed material.

The manhole stubs and sewer main shall be set before the concrete is placed and shall be rechecked for alignment and grade before the concrete has set. Invert elevations of connecting sewers may vary depending upon sizes. The crown elevation of all pipes shall be the same as the crown elevation of the largest pipe unless otherwise indicated on the plans.

The invert of the manhole base shall be formed so as to provide smooth channels conforming in size and shape to the lower portions of the inlet and outlet pipes. The channel shall vary uniformly in size and shape from inlet to outlet and a shelf shall be constructed higher than the pipe as indicated on the Standard drawing. Concrete shall be poured to a level ring-section seating surface, with the base centered over the sewer intersection unless otherwise specified. A metal forming ring shall be used to form a level joint groove in the manhole base. The groove will receive the first precast section to form a watertight joint.

The manhole base shall set a minimum of 24 hours before the installation of the Precast manhole sections unless otherwise approved by the City. Precast manhole bases will not be allowed.

1.3.4 Manhole Frames and Covers
(Green Book)

1.3.5 Testing of Manholes

Ground Water Conditions – Infiltration Test
(Green Book)

Dry Conditions – Exfiltration Test
(Green Book)

Allowable Leakage
(Green Book)

1.4 Sewer Laterals

1.4.1 General

The sewer laterals shall be constructed as shown on the Standard Drawing. Sewer laterals of the size called for on the plans shall be installed at approximately the locations shown on the plans. The exact location will be determined in the field by the City or private developer. The Contractor shall field reference each lateral connection with a surface marker.

1.4.2 Materials

All sewer laterals shall be constructed of the same material as the sewer main to which it shall be connected; and shall meet the requirements of the section of these specifications entitled "Basic Pipeline Materials Specifications."

1.4.3 Wyes

Wyes shall be of the same material as the sewer main and the longitudinal barrel of the wye shall be of the same size as the sewer main. Wyes of the size called for on the plans shall be installed at approximately the locations shown on the plans. The exact

location will be determined in the field by the City or private developer. A suitable plug shall be provided and installed prior to backfilling operations to ensure a watertight joint.

1.4.4 Construction

All sewer laterals shall be installed per the Standard Drawing. In no case shall any lateral be constructed at less than two percent (2%) slope unless shown on plans. The sewer lateral shall be constructed a minimum distance of five (5) feet horizontally from existing water services.

Unless otherwise approved by the City, any required saddle connections to existing mains shall be made with an approved sewer tapping machine. The Contractor shall submit to the City his proposed method for tapping, including manufacturer's tapping equipment descriptions, etc.

1.5 Tests for Leakage in Sewer

1.5.1 General

The Contractor shall, at his own expense, furnish all materials for making the tests required under the direction of the City.

1.5.2 Air Testing

The Contractor shall test all sewers twice by means of the air test specified in the Green book, unless otherwise directed by the City. A first air test shall occur at the completion of the construction of the sewer lines (backfilled and compacted) and prior to the construction other facilities (water, storm drain, gas, etc.). A second air test will occur after all utilities are completed and prior to paving.

1.5.3 Water Infiltration Test
(Green Book)

1.5.4 Force Main Pressure Test
(Green Book)

1.6 Concrete Work

1.6.1 General

1.6.2 Portland Cement Concrete Classification
(Green Book)

1.7 Connections to Existing Manholes

The Contractor shall make connections to existing manholes at the location and elevation shown on the plans and as verified in the field by the Contractor. Where new flow-through channels have to be cut in the existing manhole base, they shall be cut so that the resulting section is smooth and conforms to the intended shape. Deviation from form and grade shall not be greater than 1/4 inch. The channel surface shall be

smoothed with epoxy mortar. The new V.C.P. sewer shall be firmly embedded in epoxy grout where it joins the existing manhole.

1.8 Temporary Handling of Sewage

Certain work in connection with tying into existing sewers and manholes, may require the temporary handling of sewage either by temporary bypass lines, pumping, bulkheading at low flows, or other means, to be approved by the City. Sewage so diverted shall be handled in a manner such that all sewage shall be contained and properly disposed of so as not to create a public nuisance or health hazard.

Should the Contractor's operation result in fine(s) from other agency jurisdictions or result in the City's need for cleanup assistance, the payment of such fines and City assistance shall be the responsibility of the Contractor.

1.9 Steel Casing
(Green Book)

1.10 Jacked Steel Casing
(Green Book)

1.11 Video Inspection

CCTV inspections on newly constructed sewer mains shall be conducted after all utilities have been installed, backfill compaction has been certified and successful completion of the final leakage test for the sewer, but prior to paving.

The contractor shall notify the City that the pipeline system is ready for video inspection. Said notification shall be made at least three working days in advance of the actual video inspection date. The video inspection will be made by a video inspection company approved by the City and shall be made in the presence of the City Inspector. Prior to the video inspection, the contractor shall be responsible to provide the following items:

A. Clean sewer pipelines free of all dirt, rock, debris, etc.
B. Water source with an adequate amount water, pipe, hose, etc. to place enough water in the pipelines to evaluate pipeline alignment "SAGS".
C. Driveable truck access to each manhole within the system to be videoed.
D. Provide all traffic control methods required.

Should any of the aforementioned items not be in compliance by the time the video inspection is to occur, the contractor shall be subject to compensating the City for all costs incurred.

Upon completion of the video taping of the subject sewerlines, the video inspection company will provide the City with the color DVD data disk and a written report detailing the condition of the interior of the mainline and joints. Subsequent to review of the video and report by the City, the City will notify the Contractor within 7 days that they may then proceed with completion of the project; or the City will provide a list of corrective measures that must occur prior to acceptance.

Should remedial activities be necessary, the reconstruction methodology shall be approved by the City prior to commencement of the work. Upon completion of the remedial construction, the contractor shall once again notify the City that the sewerlines are ready for a video inspection. The City reserves the right to re-video any portions of the sewer system they determine may have been affected by the reconstruction work activities. Further, all related costs including but not limited to reconstruction materials, labor, equipment, video inspection, District and other agency inspection, and administrative costs shall be borne by the contractor.

VIDEO INSPECTION COMPANY REQUIREMENTS
(Closed Circuit Television Inspection - CCTV)

1. Rotating lens camera with articulating head.
2. Scanning capabilities of 360°.
3. Operative in 100% humidity conditions.
4. Lighting for the camera shall minimize reflective glare.
5. Lighting and camera quality shall be suitable to provide clear, in focus picture of the entire periphery of the pipe for all conditions.
6. Camera focal distance shall be adjustable through a range from 6" to infinity.
7. Remote reading distance (footage) counter shall be accurate to one percent (1%) over the length of the particular section being inspected.
8. The camera, television monitor, and other components of the color video system shall be capable of producing a minimum of 350 line resolution.
9. Documentation consisting of a DVD data disk and a written report detailing the condition of the mainline and joints shall be submitted to the City inspector immediately following the video inspection.

Appendix G - Water and Sewer Design Development Guidelines and Specifications

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1.0 Water System Design Criteria

1.1 General

Water system improvements proposed for inclusion into the City shall be designed in accordance with the criteria set forth herein, unless otherwise approved in writing by the City.

The design shall take into consideration physical conditions known to exist at the time and place of each installation and the probable operating requirements. Where such conditions render sections of these Specifications inapplicable, alternate methods of design may be submitted to the City, and upon approval thereof, may be incorporated in the plan.

1.2 General Layout

The system shall be designed as a circulating grid with at least three (3) main line valves at each four way intersection. Tee's shall be designed with at least two (2) main line valves.

Each line shall be valved so that any segment not exceeding one block (1000 + feet) or two fire hydrants of the system may be isolated from service.

Permanent dead ends over 300 feet in length, at the option of the City, shall have circulating ties on twenty feet easements through side lot lines.

Dead end mains shall be provided with means of flushing with a blow-off or fire hydrant.

Pipelines 8-inches and smaller shall be installed with a minimum of 42-inches of cover between the top of the pipe and the finished grade. Pipelines 12-inches or greater shall be installed with a minimum of 48-inches from the top of the pipe to the finished grade.

1.3 System Demand Criteria

System demand criteria shall be in accordance with the City of Ontario Public Works Agency Report "POTABLE AND RECYCLED WATER GUIDELINES FOR THE PREPARATION AND REVIEW OF HYDRAULIC ANALYSIS FOR NEW DEVELOPMENTS IN THE CITY OF ONTARIO UPDATED DECEMBER 1, 2005".

1.4 Pipe Sizing Criteria

The standard water mainlines sizes allowed in the City shall be 8-inch, 12-inch, 16-inch, 18-inch, 24-inch, 30-inch, 36-inch and 42-inch in diameter.

Pipeline velocities shall not exceed 10 feet per second during peak hourly domestic flow. Use a "C" value of 120 in the Hazen-Williams formula for flow computations utilizing CML/CMC or DI pipe. A "C" value of 150 shall be used for PVC pipe.

The City reserves the right to require 12-inch diameter minimum size pipelines in residential areas, with no incremental pipeline diameter upsizing cost to the City, when necessary, as determined by the City.

Whenever possible, pipelines shall be looped to provide dual direction supply and system flexibility.

In commercial and industrial areas, the standard minimum pipe size shall be 12-inch diameter.

The City may require pipe sizing in excess of the minimum size as determined by the design criteria herein when the facilities being constructed will serve, or may be extended to serve, additional lands.

Services and meters shall be sized in accordance with the provisions of Section 1009 of the Uniform Plumbing code, using minimum pressure expected in the system. Minimum service pipe diameter and meter size shall be: 1" line and 5/8" x 3/4" meter.

1.5 Pipeline Materials

Per the Water Pipeline Material Specification and Approved Material List.

1.6 Potable Pipeline Location

Potable water lines shall be located on south side or east side of the street and out of the main traveled lanes of the road where possible. Locate 8 feet from curb face or berm. Location is not to interfere with other existing utilities.

Installation of potable water lines adjacent to existing or proposed sewer lines, recycle water lines, and storm drain lines shall be in accordance with Department of Health Services regulations, or City requirements; whichever is greater. Generally, always cross above sewer lines and recycle water lines, preferably with a minimum clearance of 1 foot, and parallel at least 10 feet (O.D. to O.D.) away from sewer lines.

When minimum cover cannot be provided, concrete encasement or protective slab construction over the pipeline may be substituted. Consult with City staff as it would require special approval.

City will require pipeline looping whenever possible. Dead end mains are undesirable.

1.7 Valves

Small mains (12-inch and less). Full line size gate valves 12-inches and less in diameter shall be resilient seat gate valves. All gate valves shall be ductile-iron, epoxy coated and lined in accordance with AWWA C509.

Large mains (16-inch and greater). Full line size butterfly valves 16-inches in diameter and larger shall be epoxy lined and coated ductile-iron flanged butterfly valves. All butterfly valves shall be Class 150B in accordance with AWWA C504.

Valves shall be located on discharge side of pipe connections; minimum 3 at crosses, 2 at tees and always at beginning of dead end mains. City may require additional valving on critical sections or where proposed valving requires closing more than 3 valves to isolate a section of pipeline. Maximum spacing for mainline valves shall not exceed 1000 feet or as directed by the City.

Isolation valves shall be flanged to the tee or cross within the street intersection. All isolation valves shall be direct buried (no vaults are required).

1.8 Backflow Prevention

Backflow prevention device shall be required on domestic water service connections and irrigation water service connections on all industrial or commercial buildings.

Backflow prevention device shall be required on domestic water service connections where recycle water is used on the property.

Backflow prevention device shall be required on domestic service connections where water from other sources may become cross-connected to other water supplies or sources as determined by the City, an approved backflow prevention device is required by Title 17, Drinking Water Supplies, of the California Administrative code, and shall be installed in accordance with City requirements.

All materials, installation, and testing shall be in accordance with City of Ontario Municipal Code, Title 6 Sanitation and Health, Chapter 8B Water Services, Section 6-8.57 Water Quality Control. The water meter shall not be installed until an approved backflow prevention device is installed.

1.9 Pressure Reducing Station

Where required by the City, pressure reducing station shall be individually designed specifically for each installation, subject to City review and approval of design and materials.

1.10 Fire Service Installations

Where fire service installations are necessary, the minimum construction requirement shall be in accordance with City Standards.

1.11 Corrosive Soil Design

Where pipelines are to be constructed in known or likely corrosive soil conditions, cathodic test stations shall be provided in accordance with City requirements and standards at the locations determined by the City. The City, at its option, may also require cathodic test stations for its transmission mains and major pipelines, regardless of existing soil conditions.

In order to determine whether or not unfavorable soil conditions exist, the City may request that soil boring samples and laboratory analysis be provided as part of the project. The analysis shall include an evaluation of PH, Redox, Sulfide, Resistivity and Sulfate.

Under certain circumstances, the City may require special pipe installation procedures or types of pipe, including special protective coatings for pipe and fittings.

All test stations shall be installed behind existing or proposed curbs to allow safe access for personnel during testing. Test boxes shall be from City approved manufacturers list. Test stations shall be installed at 1000 foot intervals or as directed by the City.

1.12 Water Sampling Stations

Where water sampling stations are required, as determined by the City, the stations shall be constructed in accordance with City Standards.

1.13 Service Installations

All services shall be constructed in accordance with the applicable City Standard Drawings. Services shall not be connected to 18-inch or larger mains unless specifically permitted by the City. In addition to a domestic water service meter, all commercial/industrial projects shall be required to provide a separate landscape irrigation meter, in conformance with City Standards.

1.14 Fire Hydrants

All fire hydrants shall be installed at 300-foot intervals with the exception of fire hydrants located on arterial roads, which will be spaced at 500-foot intervals on alternate sides of the roadway (1000 feet separation same side). Fire hydrants shall be installed with a minimum separation of 5-feet from any driveway, street light, power pole, sign, fence, walls, etc.

Fire hydrants shall be installed 12-inches behind sidewalk when sidewalk is adjacent to curb and 20-inches behind curb face when sidewalk is not adjacent to curb. All fire hydrants piping shall be same as main and installed with a break-off check valve.

1.15 Blow-Offs

Appropriately sized blow-offs shall be located at all low points along the pipeline alignment and at all "dead end" locations. Additionally, for all pipelines 16-inches in diameter and greater, a blow-off shall be located on the upstream side of all mainline valves. All blow-offs shall be constructed to City Standards.

Blow-offs should be located as near to storm drain catch basins whenever possible. On arterial streets blow-offs are to be placed prior to the curb radius with service line perpendicular with mainline.

The size of the blow-off shall be based on the mainline pipe diameter as follows:

Main Size	Blow-Off Size
12-inch to 16-inch	4-inch
18-inch to 24-inch	6-inch
Greater than 24 inch	8-inch

1.16 Combination Air/Vacuum Release Valves

Appropriately sized air vacuum release valves shall be located at all high points along the pipeline alignment and at all "dead ends" that occur at a high point. Additionally, for all pipelines 16-inches in diameter and greater, an air vac valve shall be located on the downstream side of all mainline valves. On arterial streets air vac valves are to be placed prior to the curb radius with service line perpendicular with mainline. All air vac's shall be constructed per City Standards.

The size of the air vac's shall be based using the APCO APSLIDE Model or engineering calculations.

1.17 Temporary End of Line Appurtenances

A 4-inch blow off shall be installed at the end of each segment of pipeline that is installed for future use. If the section of pipe is installed creating a high point an air vac will be required.

1.18 Tracer Wire

Tracer wire shall be installed on all PVC waterlines for the purpose of providing a continuous signal path used to determine pipe alignment after installation. Locator wire shall be brought to

the surface at all appurtenances (i.e. fire hydrants, water services, air valves, blow-offs, etc.), thus providing continuous "looping" between the appurtenances and the water main.

1.19 Ductile Iron Fittings for PVC

All fittings for use with PVC C900 pipe shall be cast-iron outside diameter (C.I.O.D.) push-on or mechanical joint fittings with the exception of fittings with valves which shall be push-on or mechanical joint by flange. Ductile iron fittings shall be classified as "compact ductile iron fittings" and shall be produced in strict accordance with ANSI/AWWA A21.53/C153. Unless otherwise specified, the interior of the ductile iron fitting shall be lined with a uniform thickness of cement mortar "double thickness" then sealed with a bituminous coating in accordance with AWWA C 104. The outside surfaces of the DIP fittings shall be coated with a bituminous coating in accordance with ANSI A21.6 or ANSI A21.51.

All ductile iron fittings shall be polyethylene encased at the time of installation. Polyethylene encasement and installation shall be accordance with AWWA C105.

1.20 Restrained System

Restrained joints shall be utilized for thrust restraint on all pipelines per City Standards. The acceptable method of restraint for PVC would be Uni-flange or Mega-lug type restraints, field-lock gaskets or TR-Flex joints for DIP and welded joints for CML&CMC steel pipe.

All restraint devices for shall have a water working pressure rating equivalent to the full rated pressure of the pipe on which they are installed, with a minimum 2:1 safety factor in any nominal pipe size. Restraining devices shall provide full (360 degree) support around the circumference of the pipe.

Length of pipe to be restrained on each side of bends, tees, reducers and other fittings shall be determined by the Private Engineer or manufacturer of the restraint device in accordance with City Standards.

2.0 Recycle Water System Design Criteria

2.1 Off-Site Recycled Water System

2.1.1 General

The City of Ontario (City) recycled water program is supervised by the California Department of Health Services. As set forth in the City of Ontario Municipal Code, Title 6 Sanitation and Health, Chapter 8C Recycle Water Use. The City shall determine whether a given service will be furnished with recycled water or potable water. The determination shall be in accordance with the standards of treatment and water quality requirements set forth in Title 22, Chapter 4 of the California Administrative Code, with the intent of the City to work in conjunction with the health agencies to protect the public health, and with the availability and/or feasibility of making available recycled water facilities. All on-site facilities using recycled water will have a cross connection test every four years unless otherwise approved by the state based on a case by case basis. However, in unusual circumstances, the cross connection test could be required on an annual basis. All inspections and any cross connection found are reportable to California Department of Health Services.

All potential uses of recycled water, including, but not limited to, uses for landscape irrigation systems, agricultural irrigation systems, systems used for industrial process or construction purposes, or recreational impoundment systems shall be reviewed by the City. If recycled water is to be used, the facilities shall be constructed in accordance with the procedures and requirements set forth below.

2.1.2 General Layout

A. The tertiary treated recycled water lines shall be constructed in accordance with the color-coding, and labeling requirements per Section 116815, California Health and Safety Code of Regulations. All pipeline material used in the recycle water system shall be purple in color or installed with a purple polyethylene sleeve at the time of installation.

B. The system shall be designed as a circulating grid with at least three (3) main line valves at each four way intersection. Tee's shall be designed with at least two (2) main line valves.

C. Recycled water facilities shall typically be located 8-feet from the curb face on the opposite side of the street from the potable water

D. Each line shall be valved so that any segment does not exceed 2000 feet.

E. Dead end mains shall be provided with means of flushing with a blow-off.

F. Pipelines 8-inches and smaller shall be installed with a minimum of 54-inches of cover between the top of the pipe and the finished grade.

G. Pipelines 12-inches or greater shall be installed with a minimum of 60-inches from the top of the pipe to the finished grade. Recycle water pipes shall be installed at a depth greater than the potable waterlines.

2.1.3 SYSTEM DEMAND CRITERIA

System demand criteria shall be in accordance with the City of Ontario Public Works Agency Report "POTABLE AND RECYCLED WATER GUIDELINES FOR THE PREPARATION AND REVIEW OF HYDRAULIC ANALYSIS FOR NEW DEVELOPMENTS IN THE CITY OF ONTARIO UPDATED DECEMBER 1, 2005".

2.1.4 Pipe Sizing

The standard recycle water mainlines sizes allowed in the City shall be 8-inch, 12-inch, 16-inch, 24-inch, 30-inch and 36-inch in diameter. For recycled water, the minimum pipeline size in arterial streets of new development is 8-inch diameter. Smaller diameter pipeline will be considered in collector streets on a case-by-case basis by the City. These mains shall be sized so that sufficient water is regularly drawn to prevent stagnation

Whenever possible, pipelines shall be looped to provide dual direction supply and system flexibility. The City may require pipe sizing in excess of the minimum size as determined by the design criteria herein when the facilities being constructed will serve, or may be extended to serve, additional lands.

2.1.5 Pipeline Materials

Per the Water Pipeline Material Specification and Approved Material List.

2.1.6 Recycle Pipeline Location

Recycle water lines shall be located on the opposite side of the street from the potable waterlines and out of the main traveled lanes of the road where possible. Locate 8 feet from curb face or berm. Location is not to interfere with other existing utilities.

Separation Between Water, Sewer, and Recycled Water Lines

Installation of recycle water lines adjacent to existing or proposed sewer lines, recycle water lines, and storm drain lines shall be in accordance with Department of Health Services regulations, or City requirements; whichever is greater.

The basic separation criteria for water mains and pipelines conveying tertiary treated recycled water or storm drainage lines are a 4-foot horizontal separation where lines are running parallel and a 1-foor vertical separation (water line above recycled or storm drainage) where the lines cross each other. Generally, always cross above sewer lines with the recycle water lines, preferably with a minimum clearance of 1 foot, and parallel at least 10 feet (O.D. to O.D.) away from sewer lines.

2.1.7 Valves

Small mains (12-inch and less). Full line size gate valves 12 inches and less in diameter shall be resilient seat gate valves. All gate valves shall be ductile-iron, epoxy coated and lined in accordance with AWWA C509.

Large mains (16-inch and greater). Full line size butterfly valves 16 inches in diameter and larger shall be epoxy lined and coated ductile-iron flanged butterfly valves. All butterfly valves shall be Class 150B in accordance with AWWA C504.

Valves shall be located on discharge side of pipe connections; minimum 3 at crosses, 2 at tees and always at beginning of dead end mains. City may require additional valving on critical sections or where proposed valving requires closing more than 3 valves to isolate a section of pipeline. Maximum spacing for mainline valves shall not exceed 2000 feet or as directed by the City.

Isolation valves shall be flanged to the tee or cross within the street intersection. All isolation valves shall be direct buried (no vaults are required).

2.1.8 Backflow Prevention

Backflow prevention devices will not be required on the on-site recycled water facilities using recycled water. However, in accordance with the section on water backflow prevention in the City's Rules and Regulations, "backflow protection devices may be required of the developer's, owner's, or customer's potable water service."

2.1.9 Pressure Reducing Station

Where required by the City, pressure reducing station shall be individually designed specifically for each installation, subject to City review and approval of design and materials.

2.1.10 Corrosive Soil Design

Where pipelines are to be constructed in known or likely corrosive soil conditions, cathodic test stations shall be provided in accordance with City requirements and standards at the locations determined by the City. The City, at its option, may also require cathodic test stations for its transmission mains and major pipelines, regardless of existing soil conditions.

In order to determine whether or not unfavorable soil conditions exist, the City may request that soil boring samples and laboratory analysis be provided as part of the project. The analysis shall include an evaluation of PH, Redox, Sulfide, Resistivity and Sulfate.

Under certain circumstances, the City may require special pipe installation procedures or types of pipe, including special protective coatings for pipe and fittings.

All test stations shall be installed behind existing or proposed curbs to allow safe access for personnel during testing. Test boxes shall be from City approved manufacturers list. Test stations shall be installed at 1000 foot intervals or as directed by the City.

2.1.11 Service Installations

All services shall be constructed in accordance with the applicable City Standard Drawings. Services shall not be connected to 18-inch or larger mains unless specifically permitted by the City.

2.1.12 Blow-Offs

Appropriately sized blow-offs shall be located at all low points along the pipeline alignment and at all "dead end" locations. Additionally, for all pipelines 16-inches in diameter and greater, a blow-off shall be located on the upstream side of all mainline valves. All blow-offs shall be constructed to City Standards.

Blow-offs should be located as near to storm drain catch basins whenever possible. On arterial streets blow-offs are to be placed prior to the curb radius with service line perpendicular with mainline.

The size of the blow-off shall be based on the mainline pipe diameter as follows:

Main Size	Blow-Off Size
12-inch to 16-inch	4-inch
18-inch to 24-inch	6-inch
Greater than 24 inch	8-inch

2.1.13 Combination Air/Vacuum Release Valves

Appropriately sized air vacuum release valves shall be located at all high points along the pipeline alignment and at all "dead ends" that occur at a high point. Additionally, for all pipelines 16" in diameter and greater, an air vac valve shall be located on the downstream side of all mainline valves. On arterial streets air vac valves are to be placed prior to the curb radius with service line perpendicular with mainline. All air vac's shall be constructed per City Standards.

The size of the air vac's shall be based using the APCO APSLIDE Model or engineering calculations.

2.1.14 Temporary End of Line Appurtenances

A 4-inch blow off shall be installed at the end of each segment of pipeline that is installed for future use. If the section of pipe is installed creating a high point an air vac will also be required.

2.1.15 Tracer Wire

Tracer wire shall be installed on all PVC waterlines for the purpose of providing a continuous signal path used to determine pipe alignment after installation. Locator wire shall be brought to the surface at all appurtenances (i.e. fire hydrants, water services, air valves, blow-offs, etc.), thus providing continuous "looping" between the appurtenances and the water main.

2.1.16 Ductile Iron Fittings for PVC

All fittings for use with PVC C900 pipe shall be cast-iron outside diameter (C.I.O.D.) push-on or mechanical joint fittings with the exception of fittings with valves which shall be push-on or mechanical joint by flange. Ductile iron fittings shall be classified as "compact ductile iron fittings" and shall be produced in strict accordance with ANSI/AWWA A21.53/C153. Unless otherwise specified, the interior of the ductile iron fitting shall be lined with a uniform thickness of cement mortar "double thickness" then sealed with a bituminous coating in accordance with AWWA C104. The outside surfaces of the DIP fittings shall be coated with a bituminous coating in accordance with ANSI A21.6 or ANSI A21.51.

All ductile iron fittings shall be polyethylene encased at the time of installation. Polyethylene encasement and installation shall be accordance with ANSI/AWWA C105.

2.1.17 Restrained System

Restrained joints shall be utilized for thrust restraint on all pipelines per City Standards. The acceptable method of restraint for PVC would be Uni-flange or Mega-lug type restraints, field-lock gaskets or TR-Flex joints for DIP and welded joints for CML&CMC steel pipe.

All restraint devices shall have a water working pressure rating equivalent to the full rated pressure of the pipe on which they are installed, with a minimum 2:1 safety factor in any nominal pipe size. Restraining devices shall provide full (360 degree) support around the circumference of the pipe.

Length of pipe to be restrained on each side of bends, tees, reducers and other fittings shall be determined by the Private Engineer or manufacturer of the restraint device in accordance with City Standards.

2.2 On-site Recycled Water Facilities

2.2.1 General

Design of all on-site facilities including, but not limited to, landscape irrigation systems, agricultural irrigation systems, systems used for industrial process, construction purposes, or recreational impoundment systems shall conform to the provisions set forth herein and to any conditions, standards, and requirements set forth by the City in addition to these standard specifications.

2.2.2 Design of Recycled Water Facilities with Temporary Potable Water Service

Before design, the developer should obtain the following from the City:

A. Approval to use recycled water for the proposed system, as stated in the previous section.

B. Verification of locations and size of proposed points of connection (meter facilities).

C. Design pressures for the proposed facilities.

Where recycled water is not immediately available for use when the design area is ready for construction, and if the City has determined that recycled water will be supplied in the future, the on-site facilities shall be designated to use recycled water. The on-site system shall be designed and constructed to the City's construction specifications as set forth herein. Provisions shall be made as directed by the City and these specifications followed to allow for connection to the recycled water facilities when they become available. In the interim, potable water will be supplied to the recycled water facilities through a temporary potable water connection. Until recycled water is available, potable water rates will be charged as set forth in the City of Ontario Municipal Code Title 6 Sanitation and Health, Chapter 8B Water Service.

A backflow prevention device acceptable to the Health Department and the City will be required as long as the on-site facilities area uses potable water. The backflow prevention device shall be downstream of the meter and a part of the on-site facilities. When recycled water becomes available, the backflow prevention device will be removed by the owner and the on-site facility reconnected to the meter.

2.2.3 Backflow Prevention Devices and Signage

Backflow prevention devices will not be required on the on-site recycled water facilities using recycled water. However, in accordance with the section on water backflow prevention in the City's Municipal Code Title 6 Sanitation and Health, Chapter 8B Water Service, backflow protection devices shall be required of the developer's, owner's, or customer's potable water service." All new common areas where recycled water is used and that are accessible to the

general public shall be posted with conspicuous signs that include the flowing wording in a size no less than 4 inches high by 8 inches wide: "RECYCLED WATER DO NOT DRINK "or "RECLAIMED WATER DO NOT DRINK ". Each sign shall also display an international symbol conveying the same warning.

2.2.4 Prohibitions and Limitations

Design of on-site recycled water facilities shall conform to the following:

A. The recycled water system shall be separate and independent of any potable water system. Cross connections between potable water facilities and on-site recycled water facilities are prohibited.

B. Hose bibs on recycled water facilities are prohibited.

C. Drinking fountains shall be protected from the spray of recycled water in a manner approved by the City Engineer, prior to installation.

D. Overspray and runoff shall be limited or prevented.

E. Potable and recycled lines are not to be installed in the same trench.

F. Recycled water shall not be used for any purpose other than the approved uses as set forth herein.

G. The system shall be designed to irrigate the design area within the allowable time periods as set forth herein.

H. On-site looped meters are prohibited.

2.2.5 Control of Runoff and Application Areas

The City encourages new and innovative methods of irrigation. The use of drip or subsurface irrigation may prove effective in the reduction of total water consumption and control of unnecessary runoff by containment of the water to the design area.

In accordance with the requirements of the City's Rules and Regulations for control of runoff and for control of the areas to which recycled water is applied, the design of irrigation systems shall conform to the following:

A. The on-site recycled water facilities shall be designed to meet the peak moisture demand of all plant materials used within the design area. The use of moisture sensors is encouraged, but not mandatory.

B. On-site recycled water facilities shall be designed to prevent discharge onto areas not under control of the customer. Part circle sprinklers shall be used adjacent to roadways and property lines to confine the discharge from sprinklers to the design area.

C. The design of the on-site recycled water irrigation facilities shall provide for watering during the periods of minimal use of the service area. This is typically between the hours of 9 p.m. and 6 a.m., or as directed by the City Engineer. Consideration shall be given to allow a maximum dry out time before the design area will be used by the public.

D. The total time required to irrigate the design area shall not exceed 9 hours in any 24-hour period. Irrigation systems shall be designed to operate within this time requirement.

E. Recycled water shall be applied at a rate that does not exceed the infiltration rate of the soil. Where varying soil types are present, the design of the recycled water facilities shall be compatible with the lowest infiltration rate present. Copies of the developer's soils test reports shall be made available to the City upon request.

2.2.6 Minimum Depth to Top of On-Site Recycled Water Piping

For on-site recycled water piping, the minimum depth from finished grade to top of pipe (minimum cover) shall be as follows:

A. Constant pressure lines 3 inches and larger: 24"

B. Constant pressure lines 2-1/2 inches and smaller: 18"

C. Intermittent pressure lines: 12"

Where piping is under paved areas, these dimensions shall be considered below subgrade.

2.2.7 Data Required on Plans

A. Meter Data - The following information shall be supplied for each recycled water meter desired; information is to be provided and shown at each meter location.

1. The meter location and size (inches); meter address.
2. The peak flow through the meter (gpm).
3. The (static) design pressure at the meter (psi).
4. The total area served through the irrigation meter in square feet or acres.
5. An estimate of the yearly water requirement through the meter (acre-feet).

B. Drinking Fountains – Exterior drinking fountains must be shown and called out on the recycled water system plans. If no exterior drinking fountains are present in the design area, it must be specifically stated on the plans that none exist. The potable water line supplying the drinking fountain must have a warning tape installed as provided in Section 5.10.8 herein and shall be so stated on the plans. Drinking fountains must be protected from the direct spray of recycled water either by proper placement of the drinking fountain within the design area or the use of a covered fountain approved for this purpose.

C. Irrigation Equipment Legend – For irrigation systems, a legend showing the pertinent data for the materials used in the system shall be recorded on the plans. The legend shall include a pipe schedule listing pipe sizes and materials of construction, a listing of valve types including quick-coupling valves, and the following information for each type of sprinkler head:

1. Manufacturer and model number.
2. Sprinkler radius (feet).
3. Operating pressure (psi).
4. Flow (gpm).
5. Sprinkler pattern

3.0 Sewer System Design Criteria

3.1 General

Sewer system improvements proposed for inclusion into the City's shall be designed in accordance with the criteria set forth herein, unless otherwise approved in writing by the City.

The design shall take into consideration physical conditions known to exist at the time and place of each installation and the probable operating requirements. Where such conditions render sections of these Specifications inapplicable, alternate methods of design may be submitted to the City, and upon approval thereof, may be incorporated in the Plan.

3.2 Unit Flow Factors

System design criteria and flow factors shall be in accordance with the City of Ontario Public Works Agency Report "SEWER SYSTEM DESIGN GUIDELINES FOR THE PREPARATION AND REVIEW OF SEWER ANALYSIS FOR NEW DEVELOPMENTS IN THE CITY OF ONTARIO UPDATED DECEMBER 27, 2005"

3.3 Locations of Mains

In local residential and industrial streets, sewer mains are to be located six (6) feet from the centerline of the street in the center of the driving lane. In major, primary, and secondary highways, the sewer mains will be located in the center of the driving lane nearest to the center of the street, but will not be located in the median strip or parking lanes. On curved streets, sewer mains shall be parallel with the centerline of the street by use of horizontal curves for the alignment, unless approved by the City Engineer.

Horizontal curves are allowed on all pipe sizes 8" and larger, but are not encouraged except where necessary to maintain the required clearance from water pipelines. The minimum curve radius for sewers shall conform to the manufacturer's minimum recommendations. No reverse curves shall be allowed between manholes. No vertical curves shall be allowed.

Sewer main lines shall have a minimum cover over pipe which should be sufficient to service adjacent property by gravity, and cover shall not be less than 7.5' to finish grade of street, unless otherwise approved by City. In addition, sewer mains must be sufficiently deep in subdivisions to allow water lines to be set with 4' min. cover without interference from sewer laterals.

Sewer installation shall provide a minimum clearance of 50 feet from all potable, non-potable, and water quality monitoring wells.

3.4 Pipe Sizing

The standard sewer mainlines sizes allowed in the City shall be 8-inch, 10-inch, 12-inch, 15-inch, 18-inch, 21-inch, 24-inch, and 27-inch in diameter.

3.5 Pipe Material

Per the Sewer Pipeline Material Specification and Approved Material List.

3.6 Manholes

Manholes are required at the end of each line, change in grade or size, change in alignment or intersection of two or more sewer mains. Manholes shall be spaced at a maximum distance of 350-feet, unless otherwise approved by City. Manholes shall be located at or near all BC's, EC's, PRC's and PCC's on curved sewers. Distance noted between manholes shall be measured to manhole centerlines.

Minimum 48-inch ID manhole shall be required for sewers with a diameter of 18-inch or less and/or at a depth of 12-feet or less. A 30-inch frame and cover shall be used on a 48-inch manhole. Minimum 60-inch ID manholes shall be required for sewers with a diameter of 20-inch or larger and/or deeper than 12-feet. A 36-inch frame and cover shall be used on a 60-inch manhole. Minimum 72-inch ID manhole shall be required for sewers with a diameter of 30-inches. A 36-inch frame and cover shall be used on a 72-inch manhole.

Manholes shall have 0.2-feet of elevation differential through the manhole on straight runs and at angles. Pipe flow line elevations at inlet and outlet of manhole as well as centerline manhole stationing shall be shown on plans. Unless otherwise approved by the City, junction manholes shall have the crowns (soffits) of the intersecting pipes at the same elevation where their projections intersect the manhole centerline.

Drop manholes may be utilized only upon prior approval by the City. Drops shall not be less than 3 feet ("Steep" slopes from the first manhole upstream are preferred to drop manholes). Manholes shall not be buried except where approved by City. Manholes shall be raised above ground level where necessary to maintain them in farmed areas and in waterways.

Manholes may be required on laterals 8-inch or larger at the point of connection to the mainline and at the property line. A monitoring manhole can be used for the manhole at the property line.

Manholes located outside of the pave area shall be installed with the frame and cover .1-foot above finish grade with a 3-foot concrete collar. Manholes located in landscape area and in fields shall be installed 18-inches above finish grade.

3.7 Cleanouts

The use of cleanouts is not permitted except on laterals at the property line.

3.8 Laterals

Minimum 4-inch lateral shall be required for single family residences. Minimum 6-inch lateral shall be required for multi-family dwellings, commercial and industrial use. Lateral shall be constructed of same material as main line.

House Connection Laterals at 2% slope, utilizing 45° connection at main.

3.9 Bedding

Minimum requirements per City Standard Drawings No. 2104 and No. 2105

3.10 Backflow Valves

Backflow valves shall be required in accordance with the Uniform Plumbing Code, Latest Edition.

Backflow valves shall be installed at shallowest location allowing access for future inspection and maintenance. Where backflow valves are required, they shall be installed on private property by the property owner or tract developer and are to be maintained by property owner.

3.11 Industrial Waste Provisions

The developers of all commercial/industrial projects shall provide the City with detailed information concerning the project's expected wastewater quality and quantity. The City will review this information and determine which of the following facilities are required.

1. Building sewer sampler.
2. Wastewater flow monitoring station.
3. Gravity separator.
4. Industrial waste clarifier.
5. Pretreatment facilities.

4.0 Material Specifications–Water Pipeline

4.1 General

All pipe and fittings delivered to the job site shall be clearly marked to identify the manufacturer's name, material, class, and thickness. All material shall be new and free of blemishes. Acceptance of pipe and accessories by the City will be based on load bearing tests, and inspection of the complete products as specified hereinafter. Acceptance of installed piping will be based on inspection and leakage tests as specified hereinafter.

4.1.1 Piping Schedule

Unless noted otherwise on the plans or in the specifications, pipe shall be furnished in accord with the following materials schedule.

Piping Schedule			
Diameter	Domestic Water		Recycle Water
	OMC	NMC	
2-inch and smaller	Copper	PE Tubing	PE Tubing w/purple tape wrap or sleeve
8-inch & 12-inch	CML/CMC DIP	PVC C900	Purple PVC C900
16-inch	CML/CMC DIP	CML/CMC PVC C905	Purple PVC C905
18-inch to 42-inch	CML/CMC DIP	CML/CMC	CML/CMC w/purple warning tape
DIP – Ductile iron pipe CML/CMC – Cement Mortar lined and coated steel pipe PVC C900 – Polyvinyl Chloride pressure pipe			

4.1.2 Welded Steel Pipe, CML & CMC

Shop fabricated pipe with machine-applied lining and coating, dye-check shop welding performed after hydrostatic testing of cylinders, pipe per A.W.W.A. C200, steel plate per A.S.T.M. A-570, 10 ga. minimum, minimum yield 33,000 psi, cement mortar coating and lining per AWWA C-205. Design stress shall not exceed 16,500 psi. Each pipe section shall be provided, prior to delivery, with temporary plastic end covers, with exposed steel shopcoated, 40' maximum joint lengths, lap weld bell x plain end spigot, or rubber gasket bell x rubber gasket spigot, including rubber gaskets and gasket lubricant.

Cement used in mortar lining and coating shall be Portland Cement per ASTM C 150, Type V for coating and Type II or Type V for lining. Cement-mortar coating shall be reinforced in accordance with AWWA C205.

4.1.3 Welded Steel Fittings

All bends, reducers, increasers, tees, crosses, wyes, and other special fittings, except as specifically noted on the Drawings, shall be constructed of cement mortar lined steel pipe with coating as specified for balance of pipeline, and shall be shop fabricated in accordance with the latest revision of A.W.W.A. C208. (as modified below).

ELBOWS				
Angle	0-22 1/2°	22 1/2°-45°	45°-67 1/2°	67 1/2°-90°
No. Pieces	2	3	4	5

NOTE: At the break point angles (i.e. 22 1/2°, 45°, and 67 1/2°) use the elbow with the largest number of pieces.

All fittings shall have a steel cylinder thickness equal to or greater than the specified wall thickness of the pipeline, but not less than 10-gauge. The minimum radius for all bends shall not be less than 2.5 times the nominal diameter of the pipelines. Where simulated weld bells are used for lap-welded fittings, the bell plate thickness shall be 1/4". Fittings shall be designed and fabricated for a pressure which is 150 percent of the pressure class as designated for the pipeline, except where otherwise indicated.

Special fittings shall be fabricated from machine cement mortar lined and machine outside coated. The individual parts of the fittings shall be cut from the pipe, welded together, and the coating and lining of shop joints shall be hand applied to provide a finished cement mortar lined and finished outside coated joint comparable to the mechanically applied lining and coating detailed herein.

Special fittings and sections shall be reinforced with stiffener rings, collars, crotch plates, etc. as necessary to keep the maximum working stress to that level permitted for the pipe in accordance with AWWA M11 Steel Pipe Manual, Section 13.3.

Non-flanged joints shall be designed for lap-weld joints, and shall have bell ends for receiving the O.D. of the mating steel pipe cylinder.

Specials and fittings fabricated from cylinders that have been hydrostatically tested in accordance with these specifications shall be tested by the dye-check method, or approved equal, prior to the lining and coating of said material. Contractor shall submit fabrication drawings for all AWWA shop fabricated fittings to the City for approval prior to construction.

Butt Straps

Use two-piece rolled steel straps with a minimum thickness of ¼-inch and a minimum width of 10-inch. Straps shall be fabricated to snugly fit over the plain pipe ends, and shall be centered over the ends of the pipe sections to be joined. Weld one or more standard 5-inch, 3000 lb. threaded half-couplings to the butt strap. Provide a threaded billet steel plug for each half-coupling. Two hand-holes shall be required on pipelines 14-inch and larger.

4.1.4 Ductile Iron Water Pipe

Ductile iron pipe and fittings shall be manufactured per AWWA C110, C111, C115, C150, C151 and C153. The minimum wall thickness for ductile iron pipe shall be as specified in AWWA C150 for the design pressure class, and thickness Class 53 for flanged spools. Gray iron and cast iron fittings or flanges shall not be used.

Joints for ductile iron pipe and fittings shall be mechanical, flanged, or push-on in accordance with AWWA C110, C111 and C153. The joint dimension and gasket shall be as specified in AWWA C111. All pipe joints shall be bonded to provide electrical continuity for corrosion monitoring and future cathodic protection.

The standard restrained joints shall be of the type utilizing cast lugs, shop welded retainer lugs, retainer rings bearing against pipe shoulders, or retainer rings in pipe grooves. Where the restrained joint is of the grooved type, the wall thickness beneath the groove shall be equal to or greater than the minimum specified wall thickness. Retainer glands or uni-flange adapters utilizing setscrews bearing against the pipe wall are not acceptable.

The exterior surfaces of all pipe and fittings shall be factory coated with a minimum one 1-mil thick petroleum asphaltic material per AWWA C110 and C151. All pipe and fittings shall be cement-mortar lined in accordance with AWWA C104. Cement-mortar shall be in accordance with ASTM C150, Type II or Type V.

Ductile pipe and fittings shall be polyethylene encased in accordance with AWWA C105.

4.2 Polyvinyl Chloride (PVC) PIPE

PVC pressure pipe shall be manufactured per AWWA C900 and C905. C900 PVC pipe shall be used for mains and related appurtenances 12-inches or less in diameter. C905 PVC pipe shall be used for mains and related appurtenances 16-inches and greater. PVC pipe shall be provided in standard 20-foot lengths, unless otherwise detailed or required on the Approved Plans. The minimum length of PVC pipe sections used for tie-ins and stub-outs shall be 3 times the pipe diameter or 48-inches, whichever is longer, unless otherwise approved by the City.

PVC pipe shall have common profiles for inter-changeability between rough-barrel dimensions, couplings, ends, and elastomeric gaskets to facilitate future repairs. When assembled, the pipe shall have only one gasket per bell and spigot end, and/or two gaskets per coupling. These rubber rings (elastomeric gaskets) shall be manufactured to conform to the requirements of ASTM F-477 and furnished by the pipe manufacturer.

In areas where it is required to lay the pipe along a curve, the use of deflection couplings will be used to form the arc. The pipe shall not be bent to form the arc, nor shall the pipe be deflected within integral bells or ductile-iron fittings. Deflection couplings shall be limited to use only on 8-inch and 12-inch AWWA C900 PVC pipe. Unless otherwise approved by the City, PVC pipe shall be installed using 5° deflection couplings (2½° at each bell) to form arcs with radii no less than the minimums noted below:

Pipe Length Used	Minimum Radius
20-foot length	229-foot radius
10-foot length	115-foot radius

All pipe to be supplied under these specifications must have the following markings on the pipe barrel: Nominal size and O.D. base (for example, 8" C.I.O.D.); dimension ratio number; AWWA pressure class; and manufacturer's name or trademark and production record code. PVC pipe shall carry a current certification of the National Sanitation Foundation (NSF) as acceptable to use in the transport of potable water.

PVC pipe shall be installed within one year of its manufactured date. Pipe older than one year shall not be delivered to the construction site. The City shall require the manufacturer to submit a certificate stating that all pipe has been manufactured and tested in accordance with this specification.

4.2.1 Pipe Outlets 2 Inches and Smaller

Outlet connections to PVC water mains two (2) inches and smaller shall be bronze service saddles with double stainless steel straps designed specifically for C.I.O.D. PVC pipe. No single strap saddles or full circle saddles are allowed.

4.2.2 Pipe Outlets Larger Than 2 Inches

Outlets in PVC pipe larger than two (2) inches shall be accomplished through the use of ductile fittings.

For outlets to be installed after initial pipeline construction, a tapping tee may be used subject to advanced written approval by the City.

4.2.3 Ductile Iron Fittings for PVC

This specification covers ductile iron fittings for use with AWWA C900 polyvinyl chloride (PVC) pipe including tees, crosses, elbows, reducers, and related special fittings. Cast iron fittings are not permitted. All fittings for use with PVC C900 and C905 pipe shall be cast-iron outside diameter (C.I.O.D.) push-on or mechanical joint fittings with the exception of fittings with valves which shall be push-on or mechanical joint by flange. Ductile iron fittings shall be classified as "compact ductile iron fittings" and shall be produced in strict accordance with ANSI/AWWA A21.53/C153. Unless otherwise specified, the interior of the ductile iron fitting shall be lined with a uniform thickness of cement mortar "double thickness" then sealed with a bituminous coating in accordance with AWWA C104 (latest). The outside surfaces of the DIP fittings shall be coated with a bituminous coating in accordance with ANSI A21.6 or ANSI A21.51.

All ductile iron fittings shall be polyethylene encased at the time of installation. Polyethylene encasement and installation shall be accordance with ANSI/AWWA C105.

4.2.4 Restrained System

Restrained joints shall be provided by a clamping ring and an additional ring designed to seat on the bell end of the pipe. The rings shall be connected with T-Head bolts or rods. Restraining devices shall provide full (360 degree) support around the circumference of the pipe. No point loading shall be permitted.

Restraint of mechanical joint fittings shall be provided by a clamping ring installed on the PVC pipe and connected to the mechanical joint fitting with T-Head bolts or rods. All restraint devices for PVC pipe shall have a water working pressure rating equivalent to the full rated pressure of the PVC pipe on which they are installed, with a minimum 2:1 safety factor in any nominal pipe size. In addition, restraining devices shall meet or exceed requirements of UNI-Bell B-13

"Recommended Performance Specification for Joint Restraint Devices for Use with PVC Pipe." Restraining devices shall be approved by the City.

All buried steel parts shall be sand blasted in accordance with the coating manufacturer's technical data sheet for "submerged" service and coated with two-coat epoxy. Epoxy shall be Tnemec Series 66 or approved equal. All bolts and connecting hardware shall be of high strength low alloy material in accordance with ANSI/AWWA C111/A21.11. Buried steel parts shall be covered with grease and wrapped with polyethylene encasement.

4.2.5 Locator Wire

Locator wire shall be installed over all PVC waterlines, non-ferrous services and pipelines. Locator wire shall be 14-1 solid insulated copper wire (UF), in a continuous strand, placed on top of pipe and secured with tape. Locator wire shall be brought to the surface at all appurtenances (i.e. fire hydrants, water services, air valves, blowoffs, etc.), thus providing continuous "looping" between the appurtenances and the water main.

After all trench backfill operations are complete, the Contractor shall conduct the conductivity test to confirm that the wire is continuous. The Contractor shall be responsible for all costs to confirm, locate, and repair any breaks in the locator wire identified in the conductivity test. The Contractor is advised to use care in the installation and backfilling operations to prevent damage to the wire.

Splices shall be made at locations approved by the City. The wire connecting device shall be an underground electrical wire connector to splice and effectively moisture-seal the conductors. Wire connectors shall be approved by the City and shall be UL listed and CSA certified for direct burial splices.

4.2.6 Polyethylene Water Service Pipe (PVC Mains Only)

1-inch diameter polyethylene water service pipe shall conform to all applicable requirements of the latest revision of AWWA C901. Polyethylene water service pipe shall be iron pipe size and supplied by a City approved manufacturer.

The PE pipe or tubing shall be marked in accordance with ASTM D2239 for IPS pipe sizes. It shall also carry the seal of the National Sanitation Foundation (NSF). The PE pipe and tubing shall be rated for use with water at 73.4°F at a maximum working pressure of 200 psi, based on ASTM D2837.

For iron pipe sizes (IPS), the standard inside dimension ratio (SIDR) shall be SIDR 7 with the average inside diameter, minimum wall thickness and respective tolerances for any cross section as specified in ASTM D2239. The minimum burst pressure at 73.4°F determined in accordance with ASTM D1599 latest revision shall be 630 psi. The time of testing of each specimen shall be between 60 and 70 seconds. The PE pipe and tubing shall not fail, balloon, burst or weep as defined in ASTM D1598, latest revision, when tested in accordance with Section 7.6 of ASTM D2239.

4.3 A.W.W.A. GATE VALVES

All resilient seat gate valves shall meet the requirements of A.W.W.A. C509 (latest) for rubber seated gate valves and shall be tested bubble-tight. In addition, RS gate valves shall be furnished with low zinc bronze stems, stainless steel body hardware and valve body and bonnet

fusion bonded epoxy coated inside and out (10 mils nominal thickness) and meet all requirements of AWWA C550.

4.4 Rubber Seated Butterfly Valves

Butterfly valves shall conform to the latest revision of A.W.W.A. C504. Butterfly valves and operators shall be Class 150B, constructed for direct burial and have flanged ends to mate A.S.A. 150 lb. steel flanges.

Butterfly valves shall be furnished with operators of the traveling nut or worm gear type, self-locking in any position, and sealed, gasketed, and lubricated to withstand a submersion in water to 10 psi. The valve shall open by counter-clockwise rotation of a 2 inch square A.W.W.A. operating nut. The operator shall be capable of meeting the torque requirements for opening and closing the valve against 150 psi upstream and 0 psi downstream pressure and a maximum inlet-outlet flow rate of 12 FPS, normal flow rate of 6 FPS, and shall be provided with A.W.W.A. stops capable of absorbing up to 300 foot-pounds of input torque without damage to the valve or operator.

Butterfly valves shall have Buna N seat bonded or mechanically retained, without use of metal retainers or other devices located in the flow stream, to the body and have a disc seating edge of ni-crome or stainless steel. All internal mountings or working parts shall be stainless steel.

Butterfly valves shall have the shaft V-type self-adjusting packing. The shaft shall not be exposed between the valve body and the operator.

Butterfly valves shall have their internal and external surfaces (except flange faces, stainless steel and rubber surfaces) epoxy coated, to meet all requirements of A.W.W.A. C550. All butterfly valves shall be lined (holiday free) with a minimum of 10-mils (2,5-mil coats) of Keysite 750, (white); or DeVoe Bar-Rust No. 235 (white). The epoxy lining shall be applied at the valve manufacturer's plant in accordance with the coating manufacturer's application specifications.

4.5 COPPER TUBING (CML & DI Pipe)

Copper tubing shall conform to the requirements of the "Specifications for Seamless Copper Water Tube" (ASTM Designation B88) and shall be Type K. As required by the City, copper tubing shall be installed with a 6-mil (minimum) polyethylene sleeve "Polywrap C" by Northtown Company or City approved equal.

4.6 Red Brass Pipe

Brass pipe and fittings shall conform to the requirements of the "Specifications for Seamless Red Brass Pipe, Standard Sizes" (ASTM Designation B43). As required by the City, brass pipe shall be installed with a 6-mil (minimum) polyethylene sleeve "Polywrap C" by Northtown Company or City approved equal.

4.7 Protecto Wrap

For specified outside wrapped steel pipelines and/or where specifically directed by the City, outside pipe wrapping shall be Protecto Wrap No. 200, or 310 bituminous resin tape with No. 1170 primer.

4.8 Precast Concrete Vaults

All precast concrete manhole sections shall be manufactured in a plant especially designed for that purpose. All units will conform to the design shown on the drawings, and all work shall be conducted under strict plant controlled supervision.

Design loads shall consist of dead load, live load, impact, and in addition, loads due to water table, and any other loads which may be imposed upon the structure.

Live loads shall be for H-20 and/or H-20-S16 per AASHTO Standard Specifications for Highway Bridges with revisions. Design wheel load shall be 16 kips. The live load shall be that loading which produces the maximum shears and bending moments in the structure. All reinforcing steel shall be intermediate or hard grade billet steel conforming to ASTM A615/A706. Bars other than ¼-inch round, or smaller, shall be deformed in accordance with ASTM A305.

All vaults shall have a 2 piece torsion hinged cover specified for traffic loads where required. The effort necessary to lift the cover shall not exceed OSHA requirements. Also, cover shall be provided with a safety chain capable of limiting the travel of the cover. Precast sections shall be joined with a plastic joint sealing compound.

Vaults shall be located outside of sidewalk areas. The dimension from the top of the vault to the centerline of the piping within the vault shall not exceed 5-feet.

4.9 Fusion Bonded Epoxy Coating

Wherever fusion-bonded epoxy coating is specified on steel piping or equipment for potable water, the coating system shall consist of two or more coats of Scotchkote 306; Tnemec Series 104 or City approved equal. Minimum dry film thickness shall be 10-mils. Surface preparation shall be SSPC-10. Coating shall be in accordance with NSF-61. Method of application shall be either electrostatic method or heat fusion method.

Submit manufacturer's data sheets for review and approval, including: method of application; minimum and maximum DFT for prime, intermediate and finish coats; percent solids by volume; recommended surface preparation; application instructions and curing requirements; etc.

4.10 Test Cable and Bonding Cable

All test cable and bonding cable shall be stranded copper wire with insulation rated at 600 volts. Cable with cut or damaged insulation is not acceptable. All cable shall be of sufficient length to extend from the point of connection to the appropriate corrosion monitoring test box without splices. The cable shall have a 7/64-inch thick, high molecular weight polyethylene (HMW/PE) insulation specifically designed for cathodic protection service and suitable for direct burial in corrosive soil or water, conforming to ASTM D 1248, Type I, Class C, Category 5 (HMW/PE Type CP) Grade E-5 or J-1. Test cable shall have at least 18-inches of slack in the test box. Cable size shall be in accordance with the Standard Drawings.

4.11 Pipe Flange Insulating Kits

All pipe flange-insulating materials shall be of the type designated by the manufacturer as suitable for service at the operating temperatures and pressures of the pipeline. Insulating gaskets shall be full-face dielectric neoprene-faced phenolic. Insulating sleeves shall be full-length phenolic. Insulating washers shall be phenolic.

BRASS IDENTIFICATION TAGS

All wires terminating in CP Test Boxes shall be identified with brass tags securely attached to the wires with nylon fasteners. The tags shall be 1½-inch in diameter, 1/16-inch thick, and shall be die-stamped with identifying letters and numbers ¼-inch high.

4.12 Steel Flanges, Bolts, Nuts and Gaskets

Flanges for steel pipe shall conform to requirements for ASA 150-lb. flanges and flanged fittings or ASA 300-lb. flanges and flanged fittings, as noted on Drawings. All flanges shall be forged steel welding-neck or slip-on flanges. Dimensions and drilling of flanges for steel pipe shall conform to ASA 150 or 300, respectively, steel pipe flanges and flanged fittings, and all flanges shall be attached with bolt holes straddling vertical axis of pipe, unless otherwise shown on Drawings. Flanges and their attachment to pipe shall conform to applicable requirements of latest edition of API-ASME Code for Unfired Pressure Vessels. Welding-neck flanges shall be bored to same inside diameter as adjoining pipe.

Bolts shall be standard hexhead machine per ASTM A-307, Grade B. Nuts shall be hexagonal, cold pressed, semi-finished steel, per ASTM A-194, Class 2H. Studs with nuts on both ends shall be furnished wherever close clearances make removal and replacement of fixed head bolts difficult. Bolts and studs shall be of such lengths that not less than two or more than four threads shall project through nut when nut is drawn tight. All bolts, studs, or cap screws used in tapped holes shall be of sufficient length to provide an engagement of length of threaded portion of not less than nominal diameter of bolt for steel nor less than one and one-half times the diameter for cast iron fittings.

Unless stainless steel nuts and bolts are used, each steel/iron type fitting shall be equipped with at least one (1) sacrificial zinc anode cap. Said cap shall be "protecto-cap" or City approved equal.

Slip-on flanges shall be welded along the inner seam surrounding the pipe diameter as well as along the outside pipe and flange interface.

Gaskets for flanged joints shall be 1/16-inch thick compressed non-asbestos sheet, produced by a "City Approved Manufacturer". Flat-faced flanges shall be provided with full face gaskets with bolt holes pre-punched. Raised-face flanges shall be provided with ring gaskets.

5.0 Materials Specifications—Sewer Pipeline

5.1 General

Where alternate pipeline materials are allowed by the City, the Contractor shall select such materials and construction methods as will result in a satisfactory completed project. All pipe materials shall be new and unused unless otherwise specified. Materials and strength of pipe shall be as shown on the plans or as specified herein.

5.2 Gravity Mains

5.2.1 Vitrified Clay Pipe (VCP)

Vitrified clay pipe and fittings shall be extra strength Vitrified Clay Pipe (VCP) and shall conform to the requirements of ASTM C-700 "Specifications for Extra Strength Vitrified Clay Pipe), the "Green Book" 207-8, 208-2, and the requirement specified herein. Vitrified clay pipe shall be of the best quality, vitrified, homogeneous in structure, thoroughly burned throughout the entire thickness, free from cracks or other imperfections and must give a clear metallic ring when struck with a hammer.

All Vitrified Clay Pipe shall be subject to the Bearing Strength Tests and hydrostatic pressure tests described in ASTM C-301. The City may select at random and test one length of pipe for each 200 lengths of pipe (or fraction thereof) delivered to the project site.

5.2.2 Joints

Joints in vitrified clay pipe shall be made using a factory-made mechanical compression joint, consisting of a plastic material (Polyurethane), and shall be produced by a City Approved Manufacturer and shall conform with the requirements of Section 208.2.3 Type "G" Joints of the "Standard Specifications for Public Works Construction", Latest Edition.

5.2.3 Fittings

Vitrified Clay Pipe fittings shall include branches of every type and stoppers. These fittings shall conform to these specifications, ASTM C-301, and shall equal or exceed the pipe in quality. Branches shall be of the type called for on the plan and standard drawings and shall be securely and completely fastened to the barrel of the pipe in the process of manufacture. Stoppers shall be strong enough to sustain all applied earth and hydrostatic tests or air testing. Stoppers shall be capable, unbraced, of remaining in place when subjected an air pressure up to 5 psi.

5.2.4 Ductile Iron Pipe (DIP)

Ductile iron pipe shall comply with the provisions of Section 207-9 of the "Standard Specifications for Public Works Construction", Latest Edition. All pipe/fittings shall be coated inside and outside per ANSI Standard A21.6 - (latest edition) unless otherwise noted. Ductile iron pipe shall be compression (slip) joint, conforming with ANSI A21.11 and A21.51, latest, and have a standard thickness class (minimum CL 50) based on internal pressures and external loadings as supported by engineering calculations signed by a professional engineer registered in the State of California. All ductile iron pipe shall be provided with an 8 mil polyethylene

encasement for the entire length of the pipeline. The minimum bedding class shall be Class "C" per the City's specifications and standards.

Where restrained joints are required, ductile iron pipe/fittings shall be U.S. Pipe TR flex restrained joint or equal, conforming with ANSI A21.11 and A21.51, latest.

Unless otherwise specified, all ductile iron pipe shall be cement-mortar lined with a to the specifications of ASTM designation C150. The weight, class or nominal thickness, and casting period shall be shown on each pipe/fittings. The manufacturer's mark, the year in which the pipe/fitting was produced and the letters "DI" or "DUCTILE" shall be cast or stamped on the pipe.

5.3 Force Mains

Polyvinyl Chloride Plastic Pipe (PVC), (4" to 12" Dia.) The pipe to be used shall be rubber gasket joint polyvinyl chloride pressure pipe, Class 150, conforming to A.W.W.A. C900 (latest), outside dimensions of cast-iron pipe, plain end x gasket bell ends.

Fittings shall be cast iron A.N.S.I./A.W.W.A. C101(latest), 250 psi rated working pressure, cement mortar lining with Type 5 cement conforming to the specifications of ASTM designation C150, mechanical joint ends (MT) to fit Class 150 and 200 PVC C-900 pipe, flange ends (F) shall conform in dimensions and drilling to A.N.S.I. B16.1 for cast-iron flanges and flanged fittings for 125 lb.

The PVC force main pipe shall be accompanied with a reinforced detectable underground marking tape "Terra Tape Sentry Line 1350" or approved equal for use in the protection and location of the force main. Tape shall be green in color imprinted with the message "Caution Sewage Force Main Buried Below" and shall be installed approximately 12 inches above the pipeline.

5.4 Manholes

Precast concrete manhole components shall be in accordance with ASTM C 478 and the Standard Drawings. Manhole components shall be designed for H-20 highway wheel loading and specific site conditions. Manhole shafts shall be fabricated only from precast shaft sections, eccentric cone sections and grade rings.

Manhole bases may be either precast or cast-in-place, as appropriate for the application, with a formed recess shaped to match the first precast shaft section. The manhole base shall extend 9-inches below the bottom of the lowest pipe and 6-inches above the top of the largest pipe.

5.5 Manhole Frames and Covers

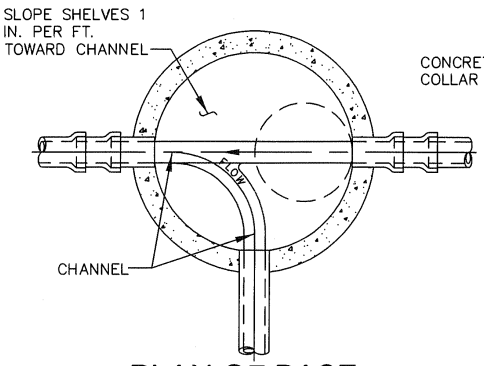
Manhole frames shall be 30-inch and 36-inch in diameter made of cast-iron in accordance with ASTM A 48, Class 30, the Standard Drawings and the Approved Materials List. Frames and covers shall be designed for H-20 highway wheel loading.

Castings shall be smooth, clean, and free from blisters, blowholes, and shrinkage. Mating surfaces of the frame and cover shall be machined to prevent movement of the lid. Frames and covers shall be match marked in sets before shipping to the site. Locking frames and covers may be required as determined by the City.

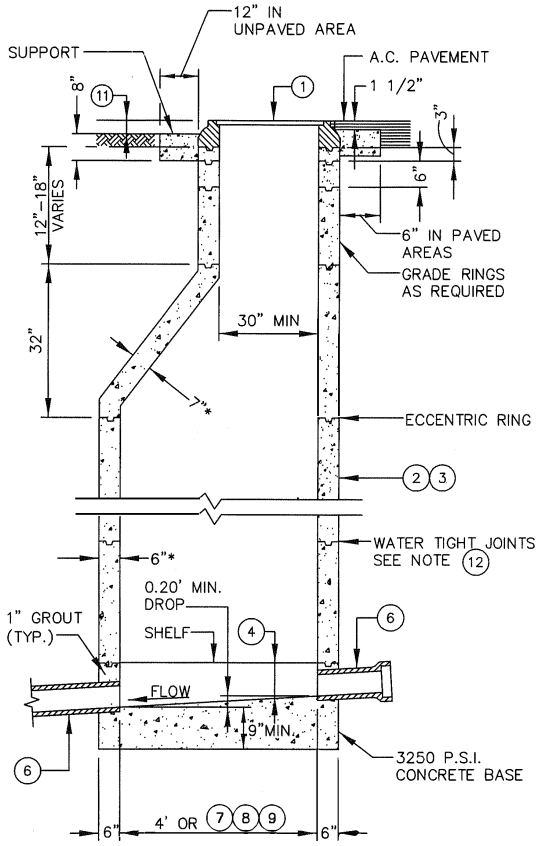
Covers shall have the words '"City Of Ontario' and 'SEWER'" cast into the cover as appropriate to the application. No other lettering will be permitted on the top portion of the cover.

All castings shall be dipped twice in a preparation of asphalt or coal tar and oil applied at a temperature of not less than 143.3 degrees C (290 degrees F) nor more than 154.4 degrees C (310 degrees F) and in such a manner as to form a firm and tenacious coating.

Appendix H - Standard Drawings



PLAN OF BASE



Section View

*(NON-REINFORCED MANHOLE)

NOTES

1. FRAME AND COVER FOR 48" I.D. MANHOLE SHALL BE 30". FRAME AND COVER FOR 60" OR LARGER I.D. MANHOLE SHALL BE 36". MANHOLE COVER SHALL BE MANUFACTURED WITH THE LETTER "S" IN THE CENTER OF THE COVER.
2. NON-REINFORCED PRE-CAST MANHOLES SHALL BE CLASS 560-C-3250 PER SECTION 201-1 OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. REINFORCED PRE-CAST MANHOLES SHALL BE PER ASTM C-478 SPECIFICATIONS.
4. THE DEPTH OF THE CHANNEL SHALL BE EQUAL TO THE FULL DIAMETER OF THE PIPE.
5. THE BRANCH SHALL DROP A MINIMUM OF 0.20' FROM ITS INLET TO THE OUTLET ELEVATION.
6. A 24" LONG STUB SHALL BE INSTALLED FROM THE MANHOLE INSIDE WALL TO THE PIPE BELL.
7. 48" I.D. MANHOLE TO BE USED ON SEWERS WITH A DIAMETER OF 18" OR LESS AND A DEPTH OF 12 FEET OR LESS UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
8. 60" I.D. MANHOLE TO BE USED ON SEWERS WITH A DIAMETER OF 20" OR MORE OR WITH A DEPTH GREATER THAN 12 FEET UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.
9. 72" I.D. MANHOLE TO BE USED ON SEWERS WITH A DIAMETER OF 30"
10. THE CROWN ELEVATIONS OF ALL PIPES SHALL BE THE SAME AS THE CROWN ELEVATION OF THE LARGEST PIPE UNLESS OTHERWISE NOTED ON THE DRAWING.
11. FOR MANHOLES LOCATED OUTSIDE PAVED AREAS THE FRAME AND COVER SHOULD BE SET A MINIMUM OF 0.1 FEET ABOVE FINISH GRADE IN SHOULDER AREAS, UNPAVED ROADS OR LANDSCAPED AREAS AND 18" ABOVE UNFINISHED AREAS.
12. MORTAR JOINTS – SUFFICIENT MORTAR SHALL BE APPLIED ACROSS ENTIRE FACE OF JOINT SO THAT WHEN PRECAST UNITS ARE PLACED ON TOP OF ONE ANOTHER, THE MORTAR WILL SQUEEZE OUT BOTH THE INSIDE AND OUTSIDE WALL FACES AROUND FULL CIRCUMFERENCE. JOINTS SHALL BE "POINTED UP" AFTER SETTING PRECAST UNITS EXCLUDING GRADE RINGS. PLASTIC JOINTS – PREFORMED COLD-APPLIED READY-TO-USE PLASTIC JOINT SEALING COMPOUND SHALL BE A QUICK-SEAL. MUST BE USED WHEN GROUND WATER IS ENCOUNTERED.

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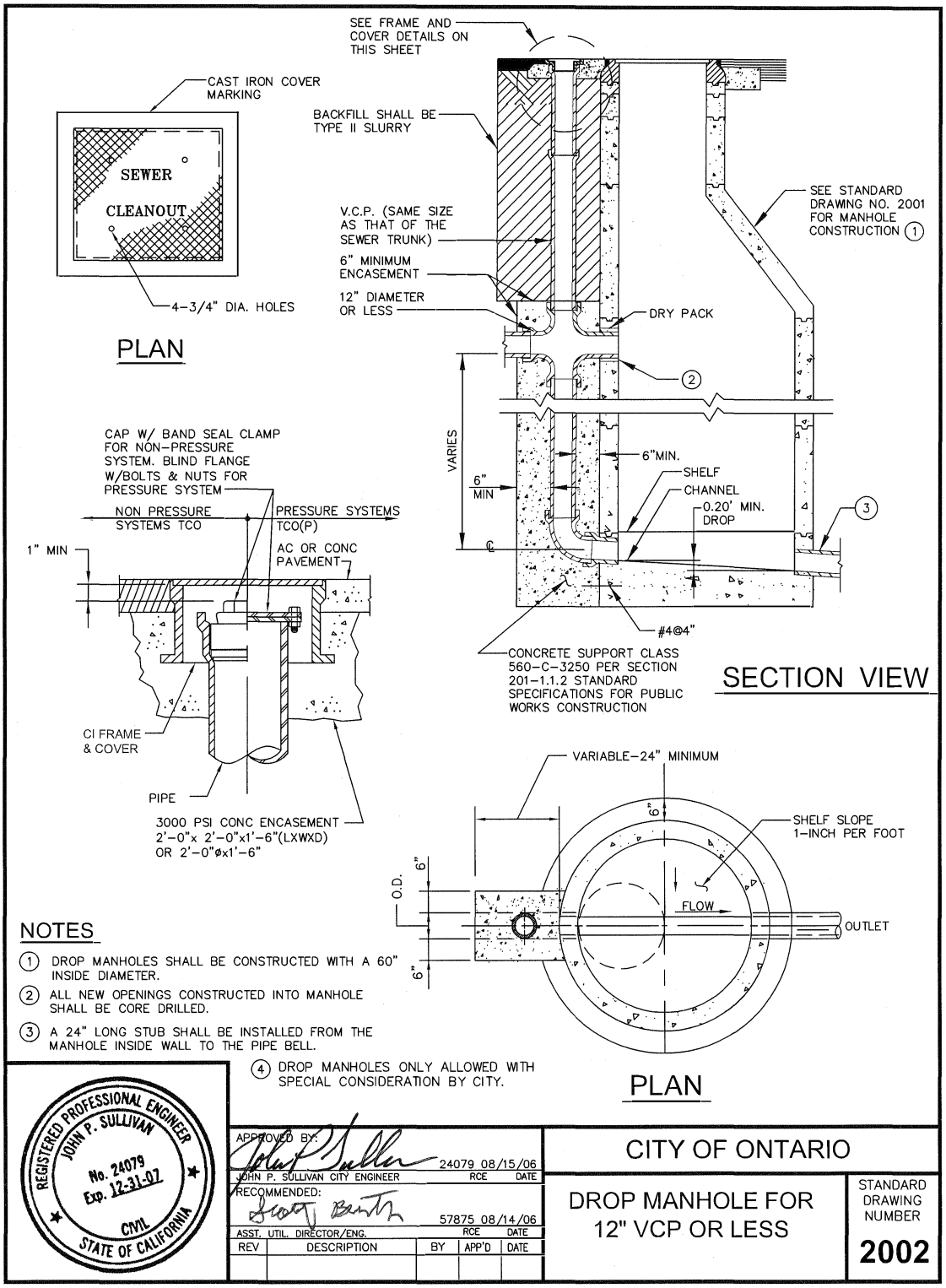
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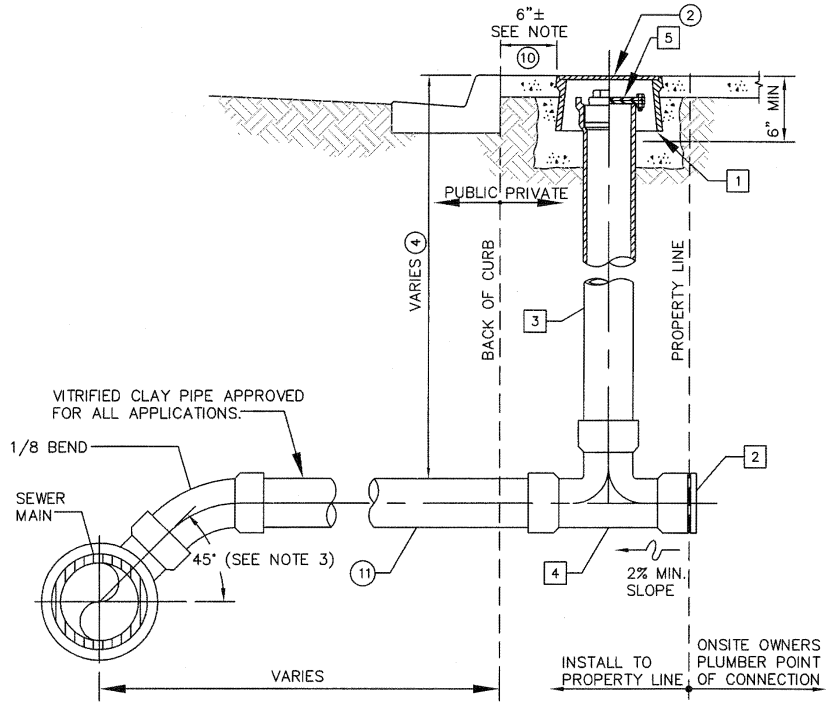
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CITY OF ONTARIO

SEWER MANHOLE

STANDARD DRAWING NUMBER **2001**


SEE FRAME AND COVER DETAILS ON THIS SHEET
CAST IRON COVER MARKING
SEWER
CLEANOUT
4-3/4" DIA. HOLES
PLAN
BACKFILL SHALL BE TYPE II SLURRY
V.C.P. (SAME SIZE AS THAT OF THE SEWER TRUNK)
6" MINIMUM ENCASEMENT
12" DIAMETER OR LESS
SEE STANDARD DRAWING NO. 2001 FOR MANHOLE CONSTRUCTION (1)
DRY PACK
(2)
VARIES
6" MIN
6"MIN.
SHELF
CHANNEL
0.20' MIN. DROP
(3)
#4@4"
CONCRETE SUPPORT CLASS 560-C-3250 PER SECTION 201-1.1.2 STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION
SECTION VIEW
CAP W/ BAND SEAL CLAMP FOR NON-PRESSURE SYSTEM. BLIND FLANGE W/BOLTS & NUTS FOR PRESSURE SYSTEM
NON PRESSURE SYSTEMS TCO
PRESSURE SYSTEMS TCO(P)
1" MIN
AC OR CONC PAVEMENT
CI FRAME & COVER
PIPE
3000 PSI CONC ENCASEMENT 2'-0"x 2'-0"x1'-6"(LXWXD) OR 2'-0"øx1'-6"
VARIABLE-24" MINIMUM
6"
SHELF SLOPE 1-INCH PER FOOT
O.D.
6"
FLOW
OUTLET
6"
PLAN
NOTES
(1) DROP MANHOLES SHALL BE CONSTRUCTED WITH A 60" INSIDE DIAMETER.
(2) ALL NEW OPENINGS CONSTRUCTED INTO MANHOLE SHALL BE CORE DRILLED.
(3) A 24" LONG STUB SHALL BE INSTALLED FROM THE MANHOLE INSIDE WALL TO THE PIPE BELL.
(4) DROP MANHOLES ONLY ALLOWED WITH SPECIAL CONSIDERATION BY CITY.
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APPROVED BY:
24079 08/15/06
JOHN P. SULLIVAN CITY ENGINEER RCE DATE
RECOMMENDED:
57875 08/14/06
ASST. UTIL. DIRECTOR/ENG. RCE DATE
REV DESCRIPTION BY APP'D DATE
CITY OF ONTARIO
DROP MANHOLE FOR 12" VCP OR LESS
STANDARD DRAWING NUMBER
2002



MATERIALS

1. METER BOX MARKED SEWER PER EQUIVALENT MATERIALS LIST.
2. APPROVED PLUG AT END OF PIPE.
3. MINIMUM 4" DIAMETER SEWER PIPE FOR SINGLE FAMILY RESIDENCE AND MIN. 6" DIAMETER FOR MULTI FAMILY RESIDENCE, COMMERCIAL AND INDUSTRIAL.
4. 4" TWO-WAY CLEANOUT TEE ABS & PVC PER EQUIVALENT MATERIALS LIST.
5. CLEANOUT ACCESS RISER TO BE CAPPED W/ CAP, BAND SEAL, PLUGGED, OR FLANGED DEPENDING ON APPLICATION.

NOTES

SEE DRAWING NO. 4001 FOR REQUIREMENTS WHEN SEWER CONNECTION IS CONSTRUCTED IN THE VICINITY OF A WATER MAIN.

1. PLACE CLEANOUT INSIDE PRIVATE PROPERTY.
2. LID MUST BE CAST IRON FOR LOCATING PURPOSES AND MARKED SEWER.
3. WYES LESS THAN 6' DEEP SHALL BE TO 22 1/2° BEND.
4. MINIMUM DEPTH OF LATERAL AT CURB LINE AND PROPERTY LINE TO BE DETERMINED IN THE FIELD.
5. BACKFILL OVER LATERALS TO BE COMPACTED BY TAMPING ONLY. BEDDING SHALL BE 4" MINIMUM THICKNESS USING 3/4" MAXIMUM CRUSHED ROCK.
6. FOR CONNECTIONS TO MAINS LESS THAN 12", MAKE CONNECTIONS WITH WYE OR SADDLE WYE.
7. FOR CONNECTIONS TO MAINS 12" OR LARGER, MAKE CONNECTIONS WITH CORED HOLE AND SADDLE TEE.
8. GRADE PARKWAY AT 2% TOWARDS CURB OR BACK OF SIDEWALK OR AS DIRECTED BY THE CITY ENGINEER.
9. WHERE LATERAL IS CONSTRUCTED UNDER AN EXISTING CURB, THE CONTRACTOR SHALL CHISEL THE LETTER "S" INTO THE CURB FACE DIRECTLY ABOVE THE LATERAL. "S" TO BE 1-1/2" HIGH & 3/16" DEEP.
10. LOCATE METER BOX 6"± BEHIND BACK OF CURB.
11. LATERIALS SIZED BY CITY, RECOMMENDED BY DESIGN ENGINEER.
12. MANHOLE WILL BE REQUIRED AT SEWER MAINLINE FOR LATERAL 8" OR GREATER
13. MANHOLE REQUIRED AT PROPERTY LINE FOR SEWER LATERAL 8" OR GREATER (MONITORING MANHOLE INLUIE

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STATE OF CALIFORNIA

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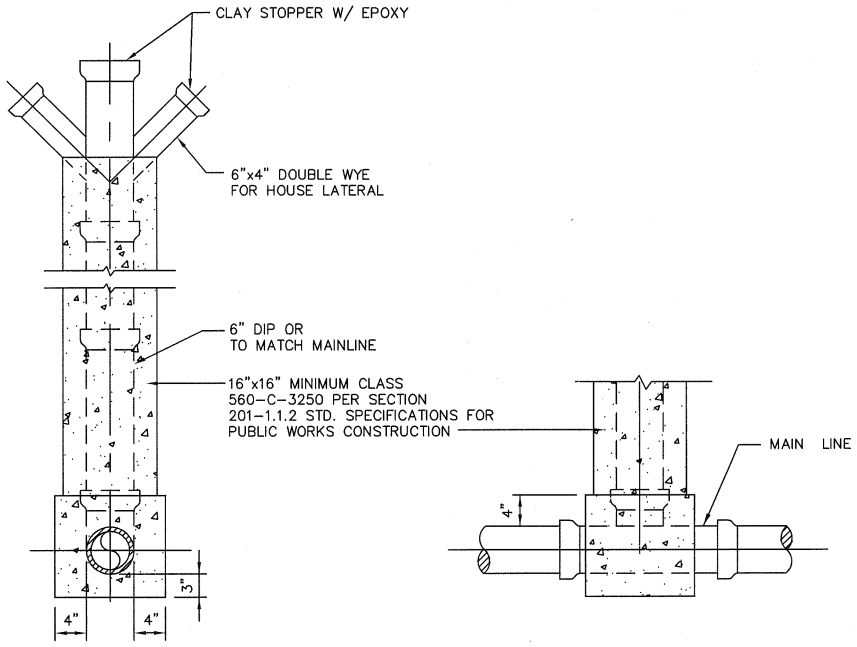
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CITY OF ONTARIO

SEWER LATERAL

STANDARD DRAWING NUMBER **2003**



NOTES

1. SEE DRAWING NO. 4001 FOR REQUIREMENTS WHEN SEWER CONNECTION IS CONSTRUCTED IN THE VICINITY OF A WATER MAIN.
2. WHERE LATERAL IS CONSTRUCTED UNDER AN EXISTING CURB, THE CONTRACTOR SHALL CHISEL THE LETTER "L" INTO THE CURB FACE DIRECTLY ABOVE THE LATERAL. "L" TO BE 1-1/2" HIGH & 3/16" DEEP.

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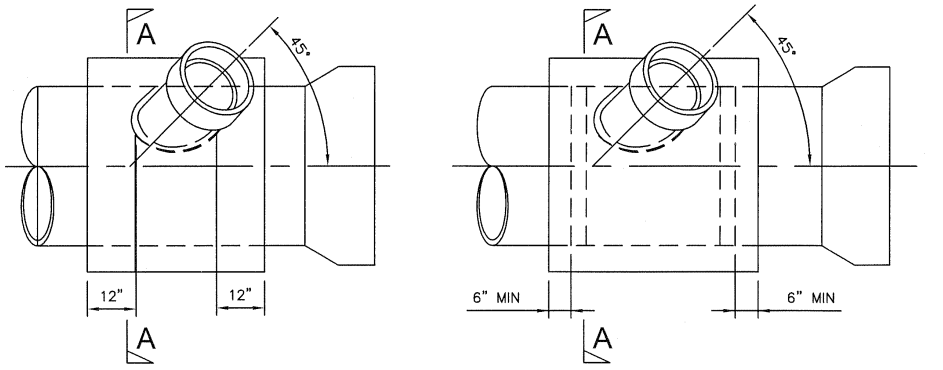
APPROVED BY: John P. Sullivan 24079 08/15/06
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RECOMMENDED: Scott Burton 57875 08/14/06
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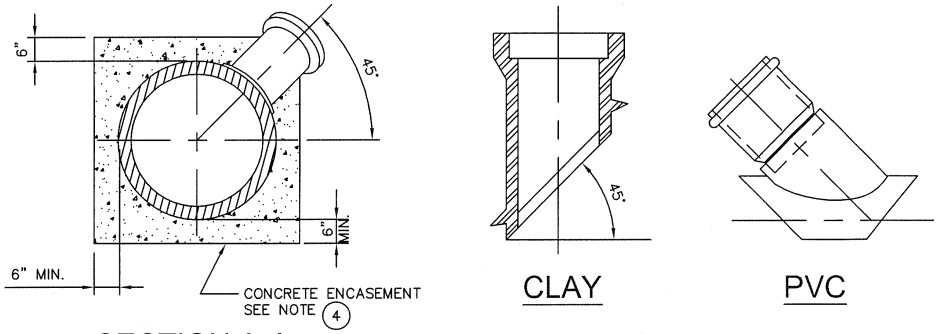
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CITY OF ONTARIO

SEWER CHIMNEY

STANDARD DRAWING NUMBER **2004**





NOTES

1. TAP TO BE MADE AT APPROXIMATELY CENTER OF JOINT LENGTH.
2. THE HOLE FOR THE COLLAR WYE FITTING FOR A SEWER SADDLE SHALL BE MADE WITH A TAPPING MACHINE. THE HOLE SHALL BE CLEANLY MACHINED AND IF NECESSARY WORKED BY HAND WITH A RASP, OR SANDED TO ACCOMPLISH A TRUE AND NEAT OPENING FOR THE COLLAR WYE.
3. THE COLLAR WYE SADDLE SHALL BE SECURED TO THE SEWER WITH AN APPROVED EPOXY RESIN.
4. THE SADDLE CONNECTION SHALL BE ENCASED WITH CLASS 560-C-3250 CONCRETE AFTER THE CONNECTION IS APPROVED BY THE INSPECTOR TO THE LIMITS INDICATED ABOVE. CONCRETE SHALL BE CLASS 560-C-3250 PER SECTION 201-1.1.2 STD. SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION.
5. THE BELL ON THE LATERAL SHALL NOT BE ENCASED.
6. ALL CHIPS, DIRT, EPOXY, MORTAR, AND CONCRETE SHALL BE KEPT OUT OF THE SADDLED SEWER, AND CLEANING AND BALLING OF THE SADDLED REACH SHALL BE PERFORMED IF SO ORDERED BY THE INSPECTOR.
7. ANY DAMAGED PIPE SHALL BE REPAIRED OR REPLACED AS DIRECTED BY THE INSPECTOR.
8. COLLAR WYE SADDLE OR CUT IN WYE TO BE USED WHEN LATERAL IS 4" OR 6" IN DIAMETER. FOR 8" AND OVER, A STANDARD MANHOLE CONNECTION IS REQUIRED.
9. SEE DRAWING NO. 4001 FOR REQUIREMENTS WHEN SEWER CONNECTION IS CONSTRUCTED IN THE VICINITY OF A WATER MAIN.
10. MAIN LINE SHALL BE BROKEN OUT FOR SADDLE ONLY IN THE PRESENCE OF A CITY ENGINEERING DEPARTMENT INSPECTOR.

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STATE OF CALIFORNIA

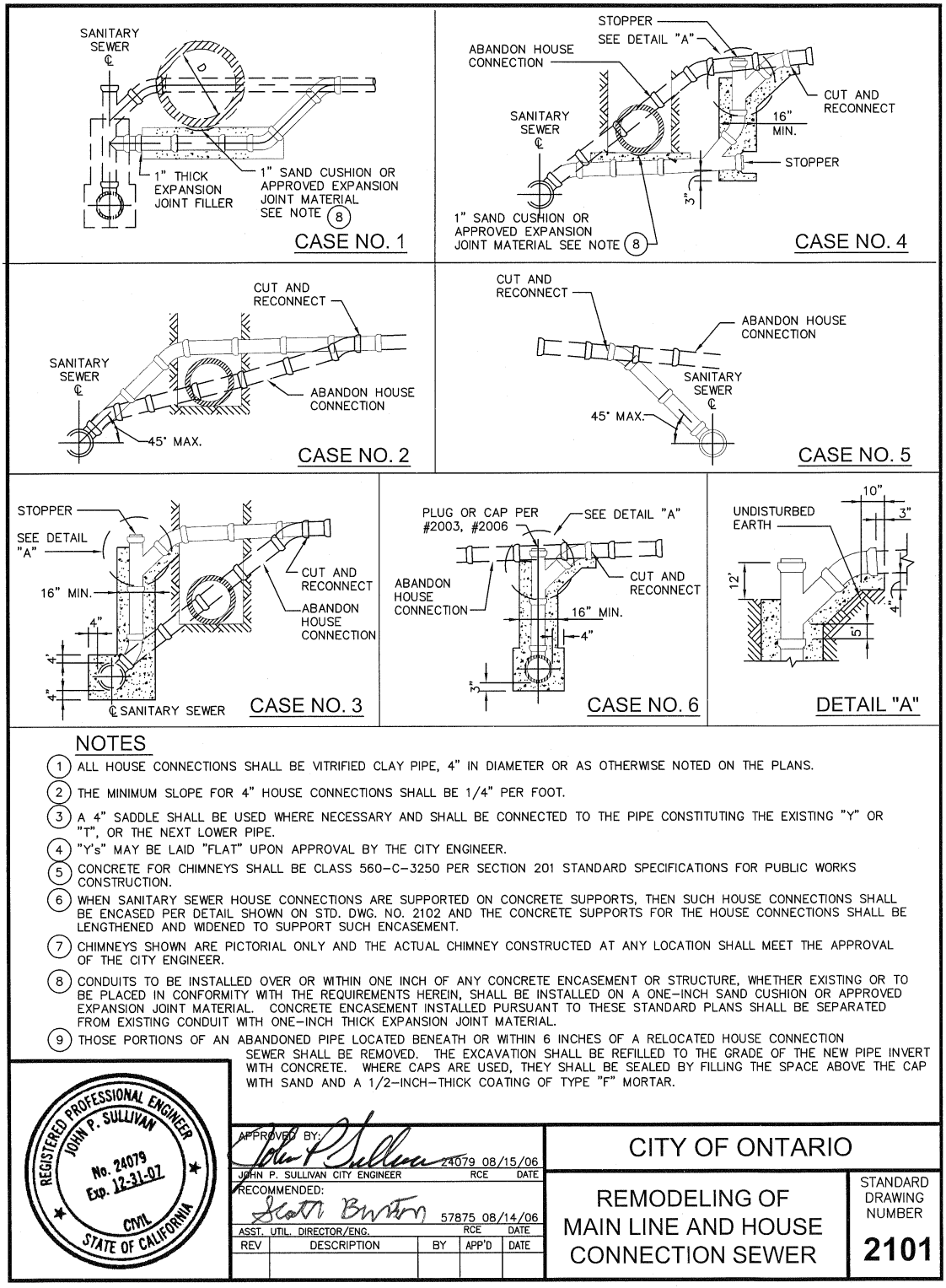
APPROVED BY: 24079 08/15/06
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REV	DESCRIPTION	BY	APP'D	DATE

CITY OF ONTARIO

SEWER SADDLE AND CUT IN WYE CONNECTION

STANDARD DRAWING NUMBER **2005**



NOTES

1. ALL HOUSE CONNECTIONS SHALL BE VITRIFIED CLAY PIPE, 4" IN DIAMETER OR AS OTHERWISE NOTED ON THE PLANS.
2. THE MINIMUM SLOPE FOR 4" HOUSE CONNECTIONS SHALL BE 1/4" PER FOOT.
3. A 4" SADDLE SHALL BE USED WHERE NECESSARY AND SHALL BE CONNECTED TO THE PIPE CONSTITUTING THE EXISTING "Y" OR "T", OR THE NEXT LOWER PIPE.
4. "Y's" MAY BE LAID "FLAT" UPON APPROVAL BY THE CITY ENGINEER.
5. CONCRETE FOR CHIMNEYS SHALL BE CLASS 560-C-3250 PER SECTION 201 STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
6. WHEN SANITARY SEWER HOUSE CONNECTIONS ARE SUPPORTED ON CONCRETE SUPPORTS, THEN SUCH HOUSE CONNECTIONS SHALL BE ENCASED PER DETAIL SHOWN ON STD. DWG. NO. 2102 AND THE CONCRETE SUPPORTS FOR THE HOUSE CONNECTIONS SHALL BE LENGTHENED AND WIDENED TO SUPPORT SUCH ENCASEMENT.
7. CHIMNEYS SHOWN ARE PICTORIAL ONLY AND THE ACTUAL CHIMNEY CONSTRUCTED AT ANY LOCATION SHALL MEET THE APPROVAL OF THE CITY ENGINEER.
8. CONDUITS TO BE INSTALLED OVER OR WITHIN ONE INCH OF ANY CONCRETE ENCASEMENT OR STRUCTURE, WHETHER EXISTING OR TO BE PLACED IN CONFORMITY WITH THE REQUIREMENTS HEREIN, SHALL BE INSTALLED ON A ONE-INCH SAND CUSHION OR APPROVED EXPANSION JOINT MATERIAL. CONCRETE ENCASEMENT INSTALLED PURSUANT TO THESE STANDARD PLANS SHALL BE SEPARATED FROM EXISTING CONDUIT WITH ONE-INCH THICK EXPANSION JOINT MATERIAL.
9. THOSE PORTIONS OF AN ABANDONED PIPE LOCATED BENEATH OR WITHIN 6 INCHES OF A RELOCATED HOUSE CONNECTION SEWER SHALL BE REMOVED. THE EXCAVATION SHALL BE REFILLED TO THE GRADE OF THE NEW PIPE INVERT WITH CONCRETE. WHERE CAPS ARE USED, THEY SHALL BE SEALED BY FILLING THE SPACE ABOVE THE CAP WITH SAND AND A 1/2-INCH-THICK COATING OF TYPE "F" MORTAR.

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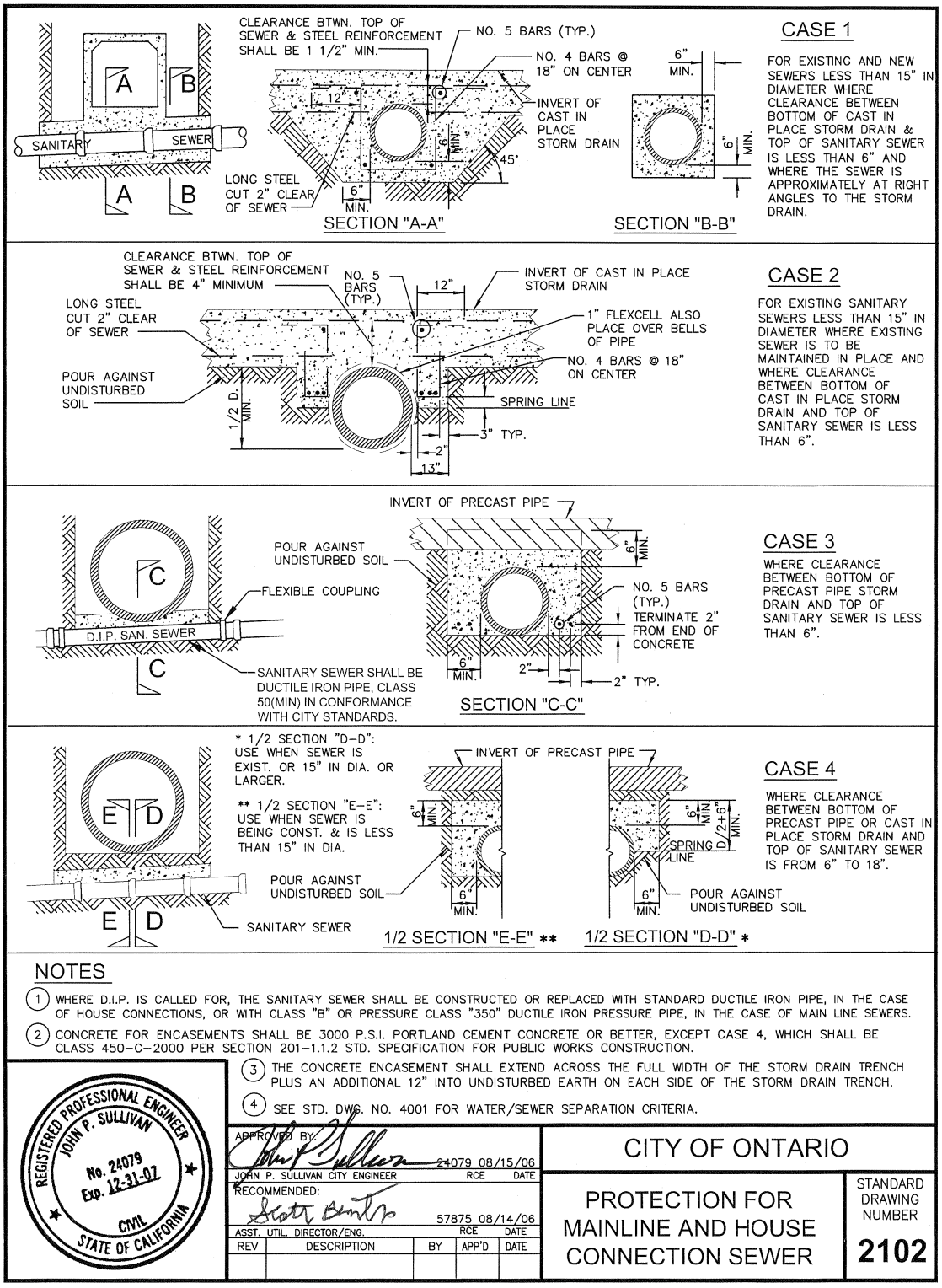
APPROVED BY: John P. Sullivan 24079 08/15/06
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ASST. UTIL. DIRECTOR/ENG. RCE DATE

REV	DESCRIPTION	BY	APP'D	DATE

CITY OF ONTARIO

REMODELING OF MAIN LINE AND HOUSE CONNECTION SEWER

STANDARD DRAWING NUMBER **2101**



NOTES

1. WHERE D.I.P. IS CALLED FOR, THE SANITARY SEWER SHALL BE CONSTRUCTED OR REPLACED WITH STANDARD DUCTILE IRON PIPE, IN THE CASE OF HOUSE CONNECTIONS, OR WITH CLASS "B" OR PRESSURE CLASS "350" DUCTILE IRON PRESSURE PIPE, IN THE CASE OF MAIN LINE SEWERS.
2. CONCRETE FOR ENCASEMENTS SHALL BE 3000 P.S.I. PORTLAND CEMENT CONCRETE OR BETTER, EXCEPT CASE 4, WHICH SHALL BE CLASS 450-C-2000 PER SECTION 201-1.1.2 STD. SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION.
3. THE CONCRETE ENCASEMENT SHALL EXTEND ACROSS THE FULL WIDTH OF THE STORM DRAIN TRENCH PLUS AN ADDITIONAL 12" INTO UNDISTURBED EARTH ON EACH SIDE OF THE STORM DRAIN TRENCH.
4. SEE STD. DWG. NO. 4001 FOR WATER/SEWER SEPARATION CRITERIA.

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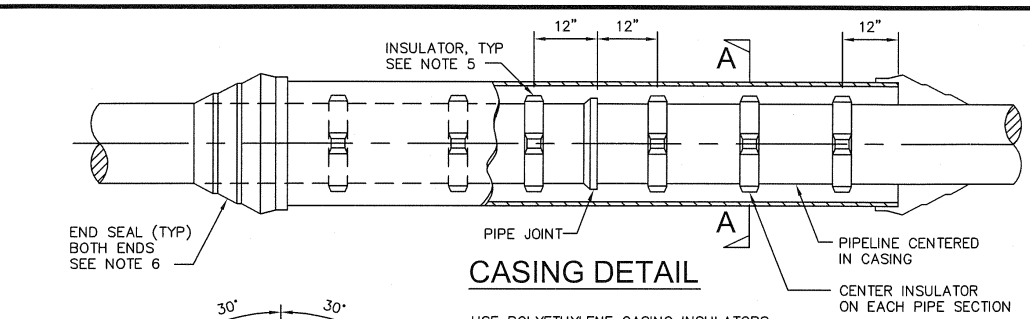
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RECOMMENDED: 57875 08/14/06
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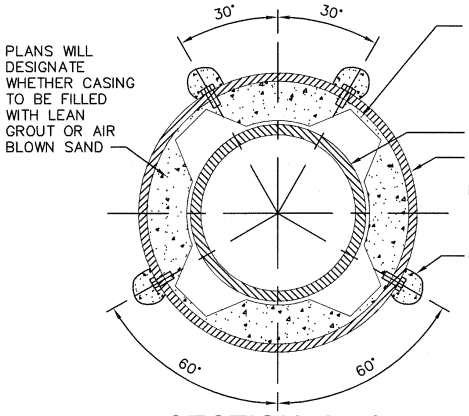
CITY OF ONTARIO

PROTECTION FOR MAINLINE AND HOUSE CONNECTION SEWER

STANDARD DRAWING NUMBER **2102**

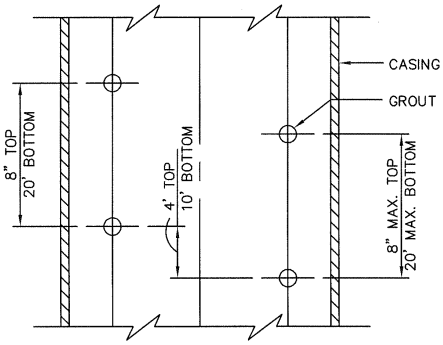


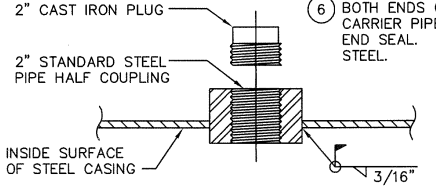
CASING DETAIL



SECTION A - A

PIPE SIZE (I.D.)	STEEL CASING PIPE		
	MIN. SIZE (I.D.)		MIN. WALL THK.
	DIP & PVC	CML&C	
6"	16"	14"	1/4"
8"	18"	14"	1/4"
10"	21"	18"	5/16"
12"	24"	18"	5/16"





GROUT COUPLING

NOTES

1. ALL STEEL CASING PIPE JOINTS SHALL BE WELDED FULL CIRCUMFERENCE.
2. PERIPHERY OF CASING TO BE PRESSURE GROUTED.
3. CARRIER PIPE SHALL BE AIR TESTED PRIOR TO FILLING CASING WITH GROUT OR BLOWN SAND.
4. UPSTREAM AND DOWNSTREAM ELEVATIONS TO BE VERIFIED PRIOR TO FILLING CASING.
5. SPACING BETWEEN THE CASING INSULATORS SHALL BE PER THE MANUFACTURERS RECOMMENDATIONS EXCEPT THAT THERE SHALL BE AT LEAST 3 CASING INSULATORS PER PIPE SECTION, ONE 12" FROM EACH JOINT AND ONE CENTERED. ADDITIONALLY, ONE INSULATOR SHALL BE INSTALLED 12" FROM EACH END OF THE CASING.
6. BOTH ENDS OF THE CASING BETWEEN THE CASING AND CARRIER PIPE SHALL BE SEALED WATERTIGHT USING AN END SEAL. BANDS SHALL BE TYPE 304 STAINLESS STEEL.

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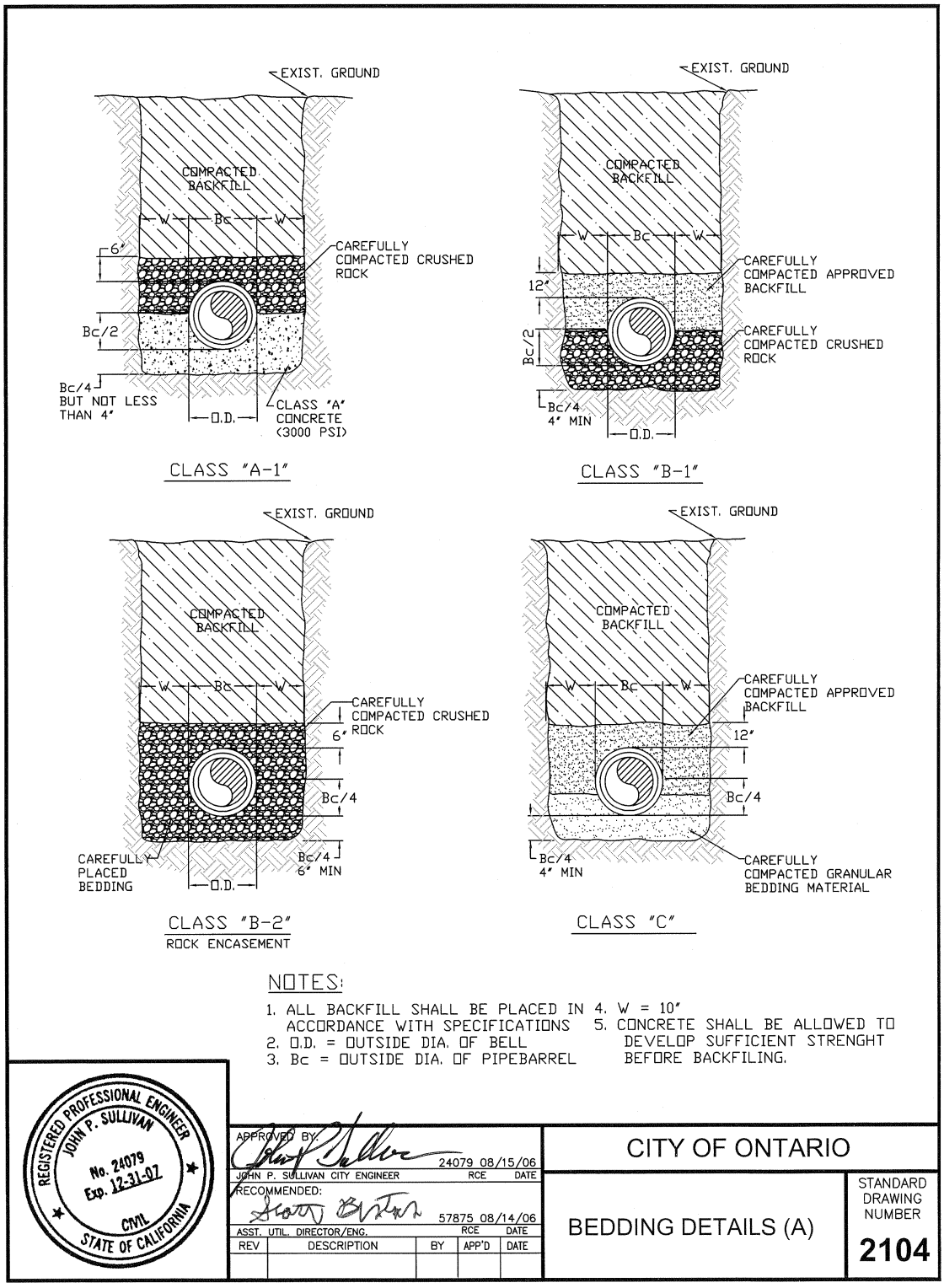
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REV	DESCRIPTION	BY	APP'D	DATE

CITY OF ONTARIO

SEWER AND WATER
CASING DETAIL

STANDARD DRAWING NUMBER
2103



NOTES:

1. ALL BACKFILL SHALL BE PLACED IN ACCORDANCE WITH SPECIFICATIONS
2. O.D. = OUTSIDE DIA. OF BELL
3. Bc = OUTSIDE DIA. OF PIPEBARREL
4. W = 10"
5. CONCRETE SHALL BE ALLOWED TO DEVELOP SUFFICIENT STRENGHT BEFORE BACKFILING.

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CITY OF ONTARIO

BEDDING DETAILS (A)

STANDARD DRAWING NUMBER **2104**

BEDDING

1. V.C.P. (EXTRA–STRENGTH)

A. THE FOLLOWING MAY BE USED AS A GUIDE ONLY IN DETERMINING THE REQUIRED CLASS OF BEDDING BASED UPON MAXIMUM DEPTH TO SEWER PIPE INVERT. FOR OTHER CONDITIONS OF TRENCH WIDTH, OR FOR A WIDE TRENCH CONDITION, INDEPENDENT ANALYSIS MUST BE MADE.

PIPE DIAMETER (in.)	TRENCH MAXIMUM WIDTH (in.)	MAXIMUM DEPTH, (FEET) CLASS OF BEDDING (1) (2) A–1(1)	B–2	B–1	C
8	32	30+	30+	20.0	12.0
10	34	30+	30+	19.0	12.0
12	38	30+	21.5	16.0	11.0
15	42	30+	23.0	17.0	12.0
18	46	30+	24.0	18.0	12.5
21	50	30+	25.0	19.0	13.5
24	54	30+	26.0	20.0	14.5
27	56	30+	27.5	21.5	15.0

(1) REFER TO STD. DWG. NO. 2104

(2) ASSUMPTIONS

A. ORDINARY CLAY BACKFILL @ 120 lbs/cf

B. F.S. = 1.5

C. LOAD FACTORS

CLASS A–1 = 2.8
B–2 = 2.2
B–1 = 1.9
C = 1.5

ENGINEER SHALL BE REQUIRED TO PROVIDE STRUCTURAL LOADING CALCULATIONS FOR PIPELINE INSTALLATIONS DEEPER THAN 30 FEET.

REGISTERED PROFESSIONAL ENGINEER JOHN P. SULLIVAN No. 24079 Exp. 12-31-07 CIVIL STATE OF CALIFORNIA

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CITY OF ONTARIO

BEDDING DETAILS (B)

STANDARD DRAWING NUMBER 2105

SURVEILLANCE FACILITY

LOCATION

1. CONTACT THE PUBLIC WORKS AGENCY/UTILITIES DEPARTMENT PRIOR TO CONSTRUCTION FOR APPROVAL OF MONITORING FACILITY LOCATION. CONFIRM THAT STANDARD DRAWING CONTAINS LATEST REVISION.
2. MONITORING FACILITIES ARE TO BE LOCATED AWAY FROM TRAFFIC, IF POSSIBLE. HOWEVER, IF INSTALLED IN TRAFFIC, THE MONITORING FACILITY MUST BE CAPABLE OF CARRYING H-20 LOADINGS.
3. MONITORING FACILITIES MUST BE LOCATED ON LINES WHICH REFLECT TOTAL NONDOMESTIC FLOWS.

GENERAL PROVISIONS

1. A UNIFORM PIPE SLOPE, NOT EXCEEDING 2.0% OR LESS THAN 0.40%, MUST BE MAINTAINED AT LEAST TWENTY (20) PIPE DIAMETERS UPSTREAM AND DOWNSTREAM OF THE MONITORING FACILITY AS WELL AS THROUGH THE FACILITY. DEVIATIONS FROM THE PIPE SLOPE LIMITS WILL REQUIRE SPECIAL PERMISSION FROM THE CITY ENGINEER.
2. THERE SHALL BE NO BENDS, DROP MANHOLES, FLOW JUNCTIONS, ETC. WITHIN 20 PIPE DIAMETERS (D) UPSTREAM OF THE MONITORING FACILITY.
3. THE BASE OF THE FACILITY MUST BE POURED AROUND THE EXISTING SEWER LINE WITHOUT ANY CHANGES IN THE SLOPE OF THE LINE.
4. WELD THE PERCENTAGE OF SLOPE AND PIPE DIAMETER OF THE SEWER LINE BEING MONITORED (%S,D") ON THE LID/COVER.
5. THE MAXIMUM UPSTREAM DEPTH SHALL NOT EXCEED 0.90D (D = PIPE DIAMETER IN INCHES).
6. WEIRS OR FLUMES ARE OPTIONAL AND MAY BE INSTALLED IF DESIRED. ALL INSTALLATION MUST BE ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS AND APPROVED BY THE CITY ENGINEERING DEPARTMENT.
7. ALL SURFACE WATER SHALL DRAIN AWAY FROM THE MONITORING FACILITY.
8. ELECTRICAL CONDUIT IS OPTIONAL AT THIS TIME BUT MAY BE DESIRED IF PERMANENT MONITORING DEVICES ARE DESIRED OR REQUIRED IN THE FUTURE.
9. ANY MONITORING INSTRUMENTATION DEVICES MUST BE APPROVED BY THE PUBLIC WORKS AGENCY/UTILITIES DEPARTMENT PRIOR TO AND AFTER INSTALLATION. MANUFACTURER OF THESE DEVICES WILL HAVE TO BE RECALIBRATED EVERY SIX (6) MONTHS BY EITHER THE MANUFACTURER OR AN APPROVED TESTING LABORATORY. A COPY OF THE CALIBRATION CERTIFICATE SHALL BE FURNISHED TO THE CITY ENGINEER.
10. ALL MONITORING FACILITY LOCATIONS MUST BE APPROVED BY THE PUBLIC WORKS AGENCY/UTILITIES DEPARTMENT PRIOR TO CONSTRUCTION AND INSTALLATION MUST BE APPROVED BY THE CITY ENGINEERING DEPARTMENT INSPECTOR.

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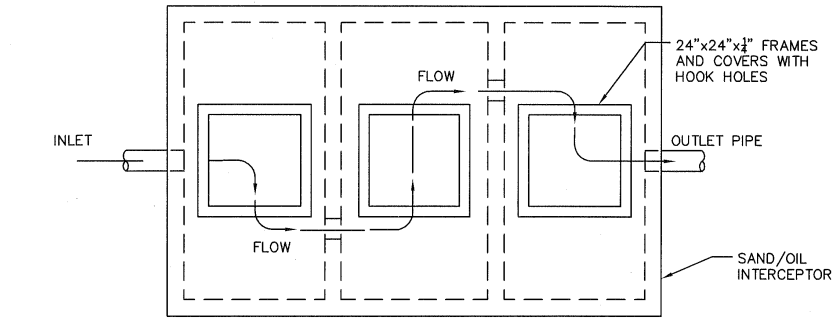
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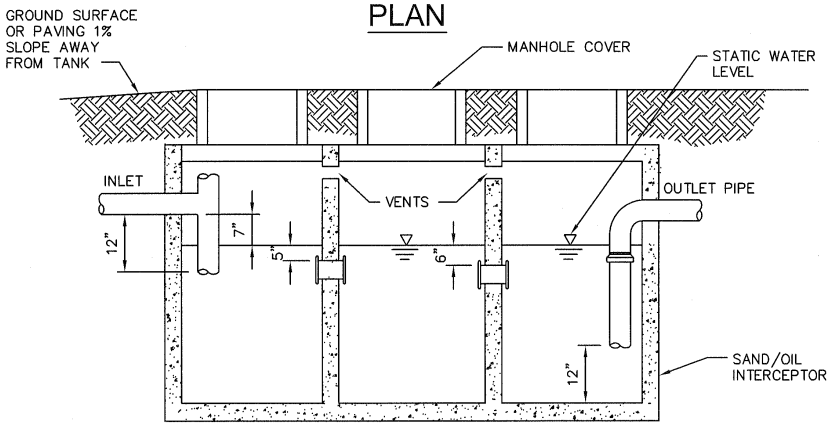
CITY OF ONTARIO

GENERAL REQUIREMENTS FOR A MONITORING FACILITY

STANDARD DRAWING NUMBER 2201



PLAN



SECTION

NOTES

1. SIZING PER UNIFORM PLUMBING CODE, CHAPTER 7, "TRAPS AND INTERCEPTORS".
2. THE UNIT SHOWN SHALL BE MADE OF CONCRETE OR OTHER MATERIAL APPROVED BY THE CITY ENGINEER (SEE NOTE 3).
3. THE UNIT IS TO BE LOCATED AWAY FROM TRAFFIC, IF POSSIBLE. IF INSTALLED IN TRAFFIC, THE UNIT MUST BE CAPABLE OF CARRYING H–20 LOADINGS.
4. NO WASTE FROM RESTROOMS SHALL FLOW THROUGH INTERCEPTOR.
5. ALL WASTE SHALL ENTER THE INTERCEPTOR THROUGH THE INLET PIPE ONLY.
6. STRUCTURE SHALL BE INSTALLED TO ALLOW ACCESS FOR MAINTENANCE OR INSPECTION AT ALL TIMES.
7. ALL SURFACE WATER MUST DRAIN AWAY FROM THE SAMPLING BOX AND INTERCEPTOR TO EXCLUDE ANY SURFACE DRAINAGE.
8. INSPECTION COVERS SHALL BE BROUGHT TO GRADE TO PERMIT VISUAL INSPECTION OF INTERNAL FITTINGS, WITH RISERS AS REQUIRED.

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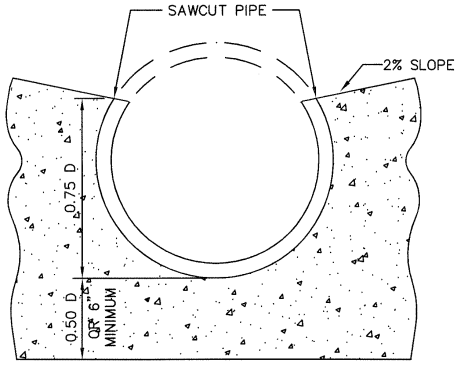
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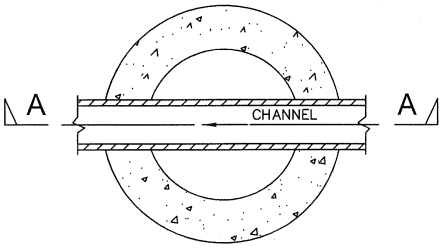
CITY OF ONTARIO

THREE CHAMBER SAND AND OIL INTERCEPTOR

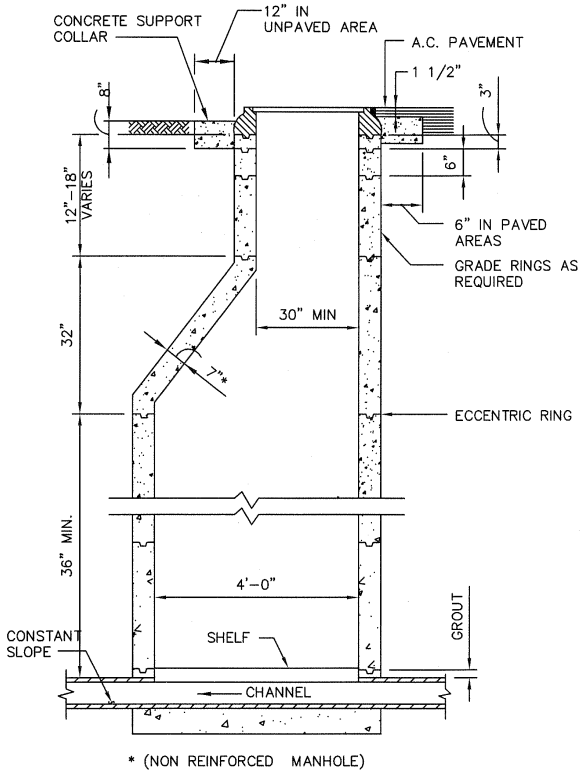
STANDARD DRAWING NUMBER **2202**



CROSS-SECTION OF BASE



PLAN OF BASE



SECTION A-A

THE REQUIREMENTS SPECIFIED PER CITY STANDARD DRAWINGS 2001 AND 2201 SHALL APPLY TO THIS FACILITY.

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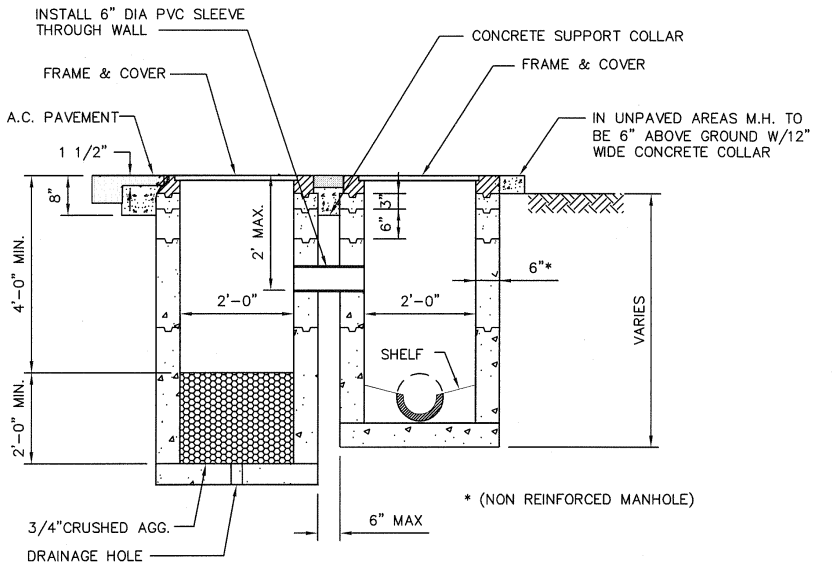
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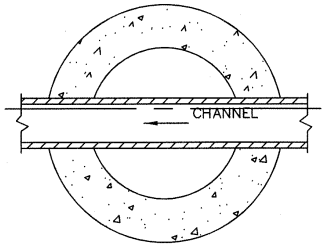
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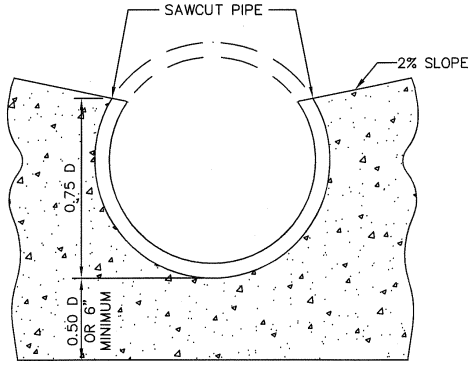
CITY OF ONTARIO

MONITORING FACILITY - TRAFFIC AREA

STANDARD DRAWING NUMBER **2203**







PLAN OF BASE

CROSS-SECTION OF BASE

THE REQUIREMENTS SPECIFIED PER CITY STANDARD DRAWING 2201 SHALL APPLY TO THIS FACILITY

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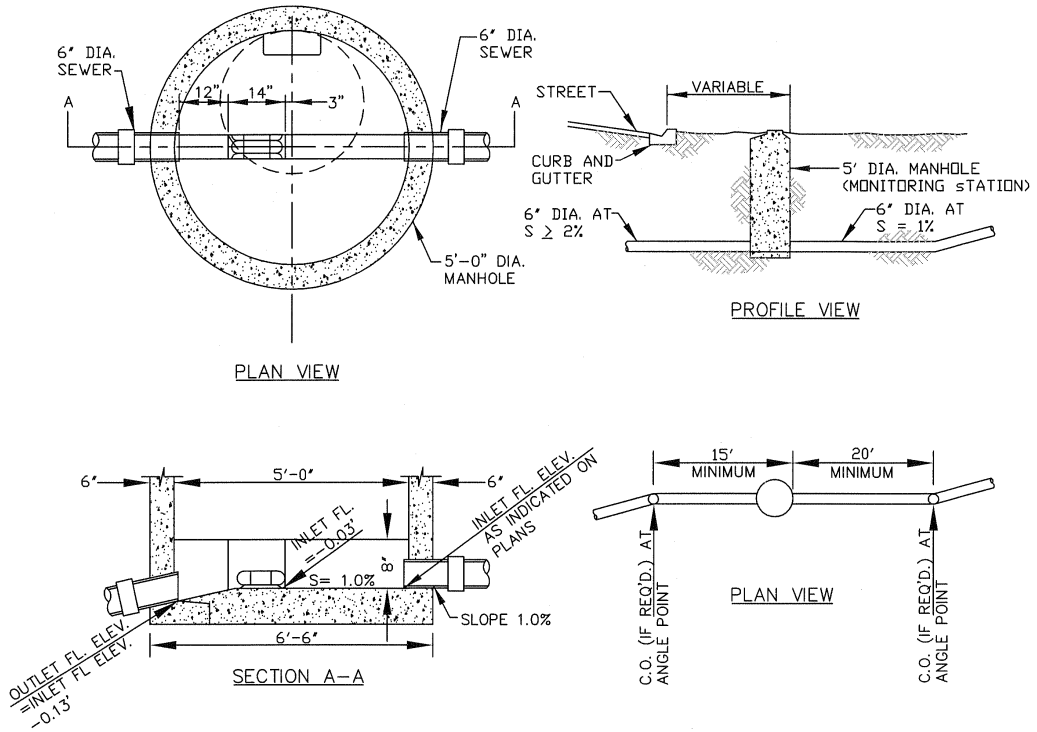
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CITY OF ONTARIO

MODIFIED SURVEILLANCE / MONITORING FACILITY - TRAFFIC AREA (SHALLOW DEPTH)

STANDARD DRAWING NUMBER **2204**



MANHOLE SHALL BE A PRECAST CONCRETE ECCENTRIC MANHOLE (5 FOOT DIA.) WITH A 36-INCH DIA. OPENING.
6" PALMER-BOWLUS FLUME INSTALLED PER MANUFACTURER'S RECOMMENDATIONS
WASTEWATER MONITORING STATION'S MAXIMUM FLOW = 0.2658 MGD
MANHOLE BASE SHALL BE MONOLITHICALLY POURED.

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CITY OF ONTARIO

MANHOLE MONITORING STATION

STANDARD DRAWING NUMBER **2205**

Appendix I – Flow Monitoring Results and Hydraulic Deficiencies

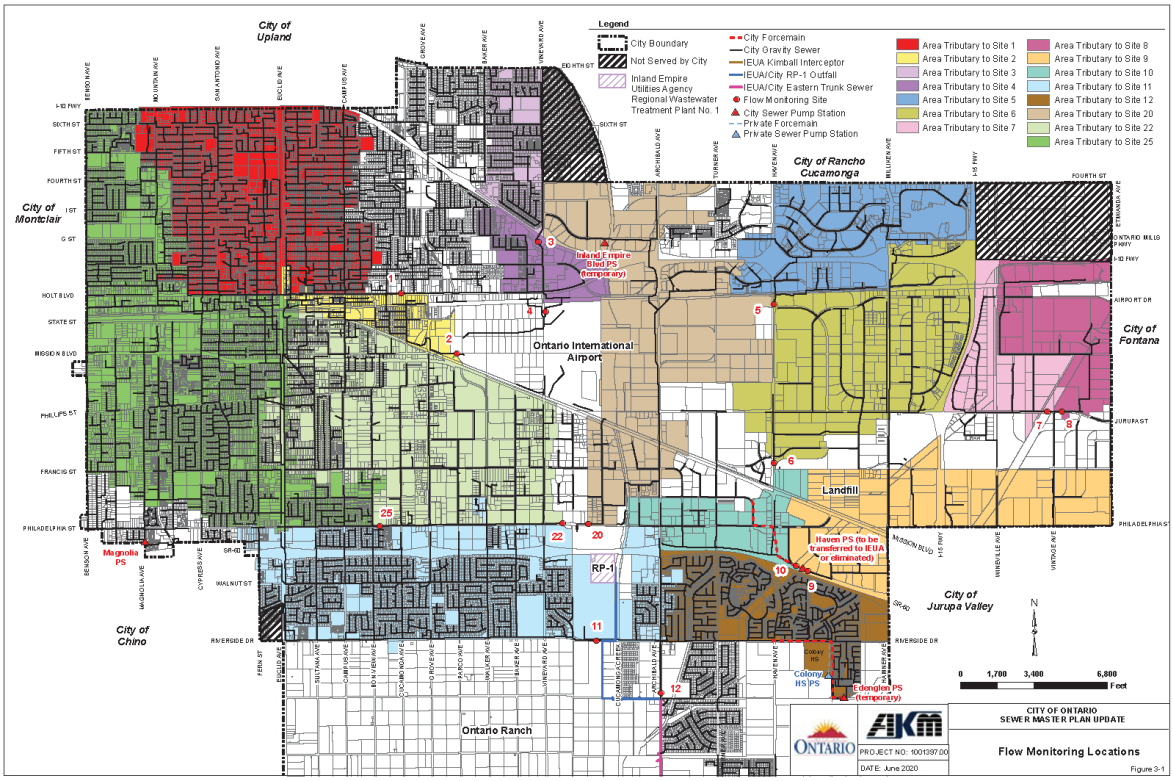

Legend
City Boundary
Not Served by City
Inland Empire Utilities Agency Regional Wastewater Treatment Plant No. 1
City Forcemain
City Gravity Sewer
IEUA Kimball Interceptor
IEUA/City RP-1 Outfall
IEUA/City Eastern Trunk Sewer
Flow Monitoring Site
City Sewer Pump Station
Private Forcemain
Private Sewer Pump Station
Area Tributary to Site 1
Area Tributary to Site 2
Area Tributary to Site 3
Area Tributary to Site 4
Area Tributary to Site 5
Area Tributary to Site 6
Area Tributary to Site 7
Area Tributary to Site 8
Area Tributary to Site 9
Area Tributary to Site 10
Area Tributary to Site 11
Area Tributary to Site 12
Area Tributary to Site 20
Area Tributary to Site 22
Area Tributary to Site 25
City of Upland
City of Montclair
City of Rancho Cucamonga
City of Fontana
City of Jurupa Valley
City of Chino
Ontario Ranch
Ontario International Airport
Landfill
Inland Empire Blvd PS (temporary)
Haven PS (to be transferred to IEUA or eliminated)
Magnolia PS
Colony HS PS
Edenglen PS (temporary)
RP-1
1
2
3
4
5
6
7
8
9
10
11
12
20
22
25
0 1,700 3,400 6,800 Feet
CITY OF ONTARIO
SEWER MASTER PLAN UPDATE
Flow Monitoring Locations
PROJECT NO: 1001397.00
DATE: June 2020
Figure 3-1

Figure 3-2
Measured Flow Data

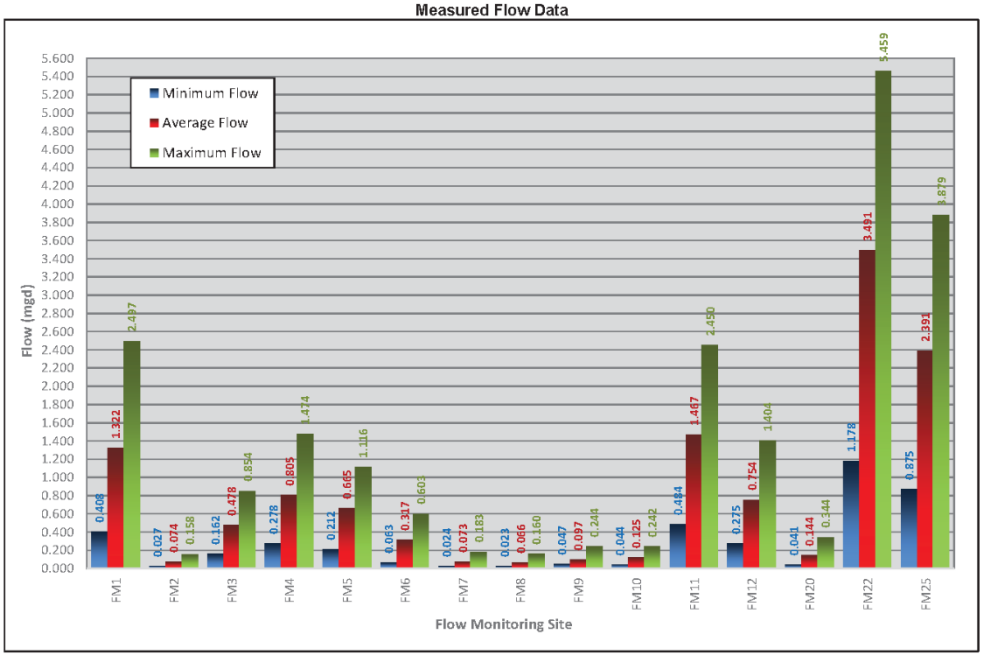


Table 3-1
Flow Monitoring Results

Site ID	Tributary Area ID	Manhole ID	Dates	Depth (in)			Velocity (ft/s)			Flow (mgd)		
				Min	Ave	Max	Min	Ave	Max	Min	Ave	Max
[1]FM1	O-058A	J15178	11/29/16 - 12/5/16	2.94	5.63	8.65	2.49	3.08	3.40	0.408	1.322	2.497
FM2	O-013	L16119	11/29/16 - 12/5/16	1.26	1.89	2.58	0.67	1.03	1.45	0.027	0.074	0.158
[2]FM3	O-014A	I17108	11/29/16 - 12/5/16	2.31	3.40	4.51	1.86	3.94	5.01	0.162	0.478	0.854
FM4	O-014	K17100	11/29/16 - 12/5/16	3.47	5.73	7.93	1.80	2.79	3.49	0.278	0.805	1.474
FM5	O-002	K21101	11/29/16 - 12/5/16	2.90	4.43	5.50	1.33	2.31	3.08	0.212	0.665	1.116
FM6	O-033	N21131	11/29/16 - 12/5/16	1.67	3.12	4.35	0.90	1.75	2.15	0.063	0.317	0.603
FM7	O-046A	M25118	11/29/16 - 12/5/16	1.41	2.05	3.02	0.44	0.76	1.19	0.024	0.073	0.183
FM8	O-046B	M25116	11/29/16 - 12/5/16	1.26	1.87	2.89	0.56	1.00	1.57	0.023	0.066	0.160
FM9	O-027B	Q21109	11/29/16 - 12/5/16	1.27	1.75	2.89	1.06	1.32	1.66	0.047	0.097	0.244
FM10	O-027A	Q21105	11/29/16 - 12/5/16	3.41	4.77	6.52	0.29	0.51	0.69	0.044	0.125	0.242
FM11	O-092WTS	R18132	11/29/16 - 12/5/16	4.72	7.55	9.74	1.60	2.39	3.04	0.484	1.467	2.450
FM12	O-090	T19163	11/29/16 - 12/5/16	2.03	3.40	5.03	4.29	5.42	6.10	0.275	0.754	1.404
FM20	O-003	P18106	3/15/17 - 3/21/17	2.72	4.05	5.67	0.36	0.71	1.12	0.041	0.144	0.344
FM22	O-004	P17113	3/15/17 - 3/21/17	10.72	15.08	1.18	0.92	1.65	2.12	1.178	3.491	5.459
[3]FM25	O-004A	P14103	3/15/17 - 3/21/17	5.64	9.81	13.12	1.90	2.30	2.62	0.875	2.391	3.879

Total (without FM3 and FM25) 9.400

[1] *Site FM1 was established one manhole upstream of the connection point O-058 in order to isolate the residential*
[2] *Site FM3 is upstream of Site FM4.*
[3] *Site FM25 is upstream of Site FM22*

3-3 Unit Flow Factors

Sewage load estimates for future development and redevelopment areas will be estimated with sewer unit flow factors. The sewer unit flow factors were last evaluated as part of the 2012 Sewer Master Plan Study, prepared by AKM Consulting Engineers. At that time, the unit flow factors were generally developed from flow monitoring data that was obtained in 2006. Due to recent water conservation efforts and the fact that people have changed their indoor water use habits, sewage generation has declined. Therefore, the unit flow factors were reevaluated and updated as a part of this study. The updated factors are based on newly collected flow monitoring data, existing land uses obtained from the City's current GIS, population estimates, historical water use records, newly developed potable water unit flow factors and sewer return ratios. The sewer unit flow factors are detailed in Table 3-2.

Table 3-2
Sewer Unit Flow Factors

Landuse		Sewer Unit Flow Factors							
		Max Density (du/ac)[1]	Density (people/ du)[2]	FAR	gpd	unit	gpd/ac	gpd/tsf	gpd/du
Residential									
Rural Residential (OMC)	RR	2	3.997	-	52	gpd/person	420	-	208
Low Density Residential (OMC)	LDR	4	3.997	-	52	gpd/person	840	-	208
Low Density Residential (OR)	LDR	5	3.997	-	52	gpd/person	1,040	-	208
Low Medium Density Residential (OMC)	LMDR	8.5	3.997	-	52	gpd/person	1,785	-	208
Low Medium Density Residential (OR)	LMDR	11	3.997	-	52	gpd/person	2,300	-	208
Medium Density Residential (OMC)	MDR	18	3.347	-	52	gpd/person	3,150	-	174
Medium Density Residential (OR)	MDR	25	3.347	-	52	gpd/person	4,350	-	174
High Density Residential (OMC)	HDR	35	3.347	-	52	gpd/person	6,125	-	174
High Density Residential (OR)	HDR	40	3.347	-	52	gpd/person	6,960	-	174
Commercial									
Business Park	BP	-	-	0.40	53	gpd/job	1,610	90	-
General Commercial	GC	-	-	0.30	132	gpd/job	1,610	120	-
Hospitality[3]	HOS	-	-	1.00	116	gpd/room	-	100	-
Neighborhood Commercial	NC	-	-	0.30	51	gpd/job	1,610	120	-
Office Commercial	OC	-	-	0.75	31	gpd/job	2,250	70	-
Industrial									
Industrial	IND	-	-	0.55	51	gpd/job	1,060	45	-
Mixed Use[4]									
High Density Residential	MU-HDR	35	2.000	-	52	gpd/person	4,200	-	104
Office	MU-O	-	-	-	31	gpd/job	2,250	70	-
Non-Office	MU-NO	-	-	-	91	gpd/job	1,610	120	-
Open Space									
Open Space Non-Recreational	OS-NR	-	-	-	-	-	-	-	-
Open Space Recreational	OS-R	-	-	-	-	-	200	-	-
Public									
Public Facility	PF	-	-	-	-	-	1,450	-	-
Public Middle or High School	PS	-	-	-	8	gpd/student	-	-	
Public Elementary School	PS	-	-	-	8	gpd/student	-	-	-

[1] Max Density per the City's Buildout Table (April 2015) for Original Model Colony. Density for LDR, LMDR, MDR, and HDR in Ontario Ranch were increased per the City Planning Department recommendation (March 2016).

[2] Density per the City's Buildout Table (April 2015)

[3] The sewage generation for a hotel is best estimated by the number of rooms.

[4] Mixed Use demands should be based on the types of landuse that make up the specific area and the unit demand factors provided above. The City's Buildout Table (April 2015) provides detailed information on the landuses that make up each mixed use area.

Definitions: ac = acre; du = dwelling unit; gpd = gallons per day; OMC = Original Model Colony; OR = Ontario Ranch; tsf = thousand sqare feet

3-3.1 Residential Sewer Unit Flow Factors

As shown on Figure 3-1, the flow monitoring sites were primarily chosen in the Original Model Colony (OMC) areas, which are generally built out. The residential developments in this area is predominately low density residential (LDR) and high density residential (HDR), which were used to develop the sewage generation estimates in gallons per day per person.

The sewer unit flow factor for LDR and HDR were calculated to be 52 and 51 gpd/person, respectively, when applying annual sewer return ratios to the potable water unit flow factors. This calculation shows that the sewage generation per person is very similar, regardless of the residential land use categorization. For planning purposes, the sewage unit flow factor of 52 gpd per person was applied to all residential land use types, as shown in Table 3-2.

The majority of the new development is composed of low density residential (LDR) and low-medium density residential (LMDR) land use types, each with an estimated population density of 3.997 persons per dwelling unit. The sewer unit flow factor for both LDR and LMDR is 208 gpd/DU, when applying the sewage generation factor of 52 gpd per person.

The City's planning department estimates that the medium density residential (MDR) and high density residential (HDR) land use types have population densities of 3.347 persons per dwelling unit. With the sewage generation factor of 52 gpd per person, the unit flow factor for MDR and HDR are 174 gpd per dwelling unit.

3-3.2 Non-Residential Sewer Unit Flow Factors

Commercial Land Uses

The City's water meter billing data accounts for commercial indoor use, outdoor irrigation water use, as well as recycled water use. Excluding irrigation and recycled water use for commercial customers (business park, general commercial, office commercial, neighborhood commercial, and hospitality), a sewer return ratio of 89% of the annual average water use was developed. This return ratio was applied to the developed water demand factors to establish the sewer unit flow factors for commercial uses.

Hospitality Land Uses

The City's 2010 General Plan defines an area along Vineyard Avenue, south of the I-10 Freeway and north of the Ontario International Airport, as the hospitality area. It consists of numerous hotels and restaurants that provide service for patrons of the airport. A sewer return ratio of 89% of the annual average water use was applied to the hospitality land use to establish the sewer unit flow factors.

Industrial Land Uses

Industrial land use types include a wide variety of businesses and manufacturing processes that causes sewage generation to vary significantly from one customer to another. This is evident in the wide range water use for different businesses with these land use categorizations. For example, warehouses typically use a low amount of water and generate low amounts of sewage. On the other hand, some manufacturing businesses can use large of amounts of water and contribute large amounts of sewage to the City's sewer system.

The average sewer return ratio was estimated to be 75% of the annual average water use. For planning purposes and when no other specific planning information is available, the sewage generation will be based on

the sewer unit flow factor of 1,060 gpd/ac. This factor was based on the number of future estimated jobs and the 51 gpd/job divided by the number of future industrial acres. It is considered quite conservative in comparison to the currently estimated factor of 244 gpd/ac per flow monitoring in a primarily industrial area. The reason the existing factor is so low is because many of the industrial areas consist of warehouse uses that don't use a lot of water. In the future, these warehouses can be converted to manufacturing uses. Therefore, for planning purposes, the calculated unit flow factor of 1,060 gpd/ac is deemed appropriate.

It is recommended that the City evaluate future potential high water users on a case by case basis, as details regarding the proposed development or redevelopment area becomes available. The sewer hydraulic model should be utilized to make sure that the system is capable of handling the proposed sewage generation.

Public Facility and School Land Uses

Sewer return ratios of 85% and 80%, respectively were implemented for public facilities and schools. The sewer unit flow factor for public facilities is 1,450 gpd per acre. For schools, the sewer unit flow factor is 8 gpd per student.

3-4 Peaking Factors

3-4.1 Peak Dry Weather

The wastewater unit flow factors discussed in Section 3-3 are used to generate average dry weather flows (ADWF) entering the collection system. However, the adequacy of a sewage collection system is based upon its ability to convey the peak flows. At any individual point in the system, peak dry weather flow (PDWF) is estimated by converting the total average flow upstream of the point in question to peak dry weather flow by an empirical peak-to-average relationship.

The peaking formula commonly used in sewerage studies is of the following form:

$$PDWF = a \times ADWF^{b}$$

where PDWF = Peak Dry Weather Flow
ADWF = Average Dry Weather Flow
a, b = Peaking Formula Coefficients

In order to develop the peaking formula and establish coefficient "a" and "b", the maximum versus average flow measured was plotted for each flow monitoring site as shown in Figure 3-3.

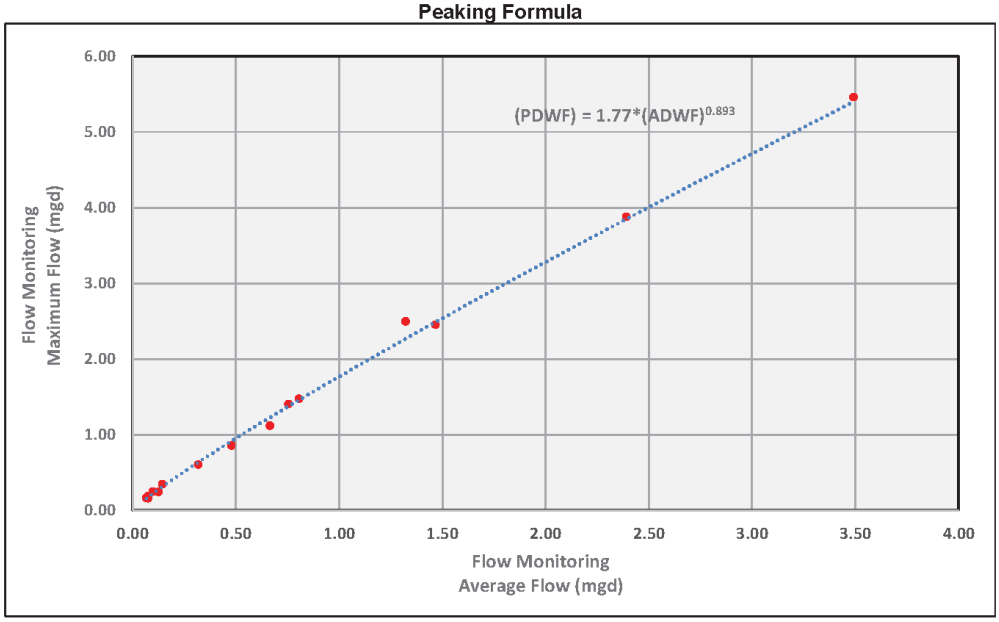
Based on the best fit line through the data points shown in Figure 3-3, the following peaking relationship was selected for this study:

$$PDWF\ (mgd) = 1.77 \times ADWF\ (mgd)^{0.893}$$

The coefficient "b" factor accounts for smaller tributary areas with smaller ADWF, which generally experience greater PDWF. The change in usage of one customer in a very small tributary area will have a greater effect on its corresponding PDWF than a change in usage of one customer is a very large tributary area.

Note that the units of the selected peaking formula are in million gallons per day (mgd). These peaks are generally observed between the hours of 6:00 a.m. and 9:00 a.m. and 7:00 p.m. and 9:00 p.m. during weekdays and somewhat later in the morning hours during weekends in the predominantly residential areas.

Figure 3-3
Peaking Formula



3-4.2 Peak Wet Weather

The peak wet weather flow (PWWF) has two components: peak dry weather flow (PDWF) and rainfall dependent inflow/infiltration (I/I) as expressed by the following equation:

PWWF = PDWF + I/I

Inflow and infiltration is discussed further in Section 3-5.

The flow monitoring effort for this study did not cover a wet weather period. Until wet weather flow data can be collected, it is recommended that the peak wet weather flow be estimated as the following:

Peak Wet Weather Flow (PWWF) = 1.34 x Peak Dry Weather Flow (PDWF)

Although the PWWF/PDWF factor of 1.34 may not cover all situations, it is not reasonable or feasible to design the sewer system to carry the flows that would result from the use of a larger ratio. Instead, it is recommended that the City concentrate on projects such as replacing manhole covers, installing plugs in manhole covers, and replacing or relining cracked pipes to reduce inflow and infiltration.

3-5 Inflow and Infiltration

Inflow is the surface water that typically gains entry to the sewer system through perforated or unsealed manhole covers during rainfall events. Infiltration is defined as water entering the collection system from the ground through defective pipes, pipe joint connections, or manhole walls. The sewer system design capacity

must include allowances for these extraneous flow components, which inevitably become a part of the total flow. The amount of inflow and infiltration (I/I) that enters the system typically depends upon the availability, adequacy, and location of the storm water drainage facilities; age and condition of structures; materials and methods of construction; the location of the groundwater table; and the characteristics of the soil. In the absence of flow monitoring data, many regulating agencies utilize commonly accepted practices for estimating I/I. For example, I/I is often estimated based on the diameter and length of pipeline (100 to 400 gpd/ in. dia/ mile) or as a percentage of the peak flow or pipeline capacity.

AKM's experience from other master planning studies and review of limited flow monitoring information available during severe rainfall events indicate that the peak wet weather flow can vary from 10 percent of average dry weather flows in steeper areas with adequate drainage facilities, to over 400 percent of average dry weather flows in flat areas that lack significant drainage facilities.

For this study, extraneous flow due to inflow and infiltration is included in the peak wet weather flow formula described above. If better data becomes available subsequently for specific areas, the analysis shall be updated based upon that information.

3-6 Sewer System Performance Evaluation Criteria

Sewer system performance evaluation criteria are established to ensure that the wastewater collection system can operate effectively under all flow conditions. Each pipe segment must be capable of carrying peak wet weather flows in the hydraulically stable zone of the pipe. Low flows must be conveyed at a velocity that will prevent solids from settling and blocking the system.

The design capacity of a gravity pipeline is the calculated capacity of the pipeline based on the Manning formula:

$$Q = 1.486 * A * R^{\frac{2}{3}} \frac{S^{\frac{1}{2}}}{n}$$

where, **Q** = flow in cubic feet per second
R = hydraulic radius in feet = A / P
A = cross-sectional area of the pipe in square feet
P = wetted perimeter in feet
S = slope of pipe in feet of rise per foot of length
n = Manning's friction factor

Sewer system capacity is established using a Manning's friction factor of 0.013 for vitrified clay pipe.

The design and analysis of sewer pipes is typically based upon the depth to diameter ratio (d/D). In this study, **existing** pipes are considered capacity deficient if the d/D is above 0.64 at peak dry weather flows. This d/D ratio was arrived at by taking 75% of a pipe's maximum stable flow capacity, which is at a d/D of 0.82. The area above a d/D of 0.82 is considered hydraulically unstable. The 25% pipe capacity above the d/D ratio of 0.64 is reserved for inflow and infiltration.

By setting the maximum allowable PWWF equal to the maximum capacity of the pipe (d/D ratio = 0.82) and setting the maximum allowable PDWF equal to 75% of the maximum pipe capacity (d/D ratio = 0.64), the PWWF/PDWF ratio is 1.34 (100% pipe capacity/75% pipe capacity) as stated in Section 3-4.2.

The extra pipeline capacity also allows for the possibility that actual wastewater flows may be slightly higher than anticipated PDWF. Additionally, the area above the water surface helps to keep the sewage aerated, reducing the possibility of septic conditions and odors.

For **new construction**, the design and analysis of gravity sewer pipes shall be based on the following depth to diameter ratios:

- Pipes **12-inches and smaller** in diameter shall be designed to flow at a maximum **d/D of 0.50** under peak dry weather flows
- Pipes **15-inches and greater** in diameter shall be designed to flow at a maximum **d/D of 0.64** under peak dry weather flows
- For either group, the depth of flow to diameter ratio shall not exceed **0.82 with peak wet weather flows**

Although this Sewer Master Plan study defined existing pipes as deficient when the d/D ratio exceeded 0.64 under peak dry weather flows, for all practical purposes the aforementioned design criteria must be adhered to. For instance, if the sewer pipe is 12-inches and smaller and was designed to flow at a maximum PDWF d/D of 0.50 and is now constructed. The maximum PDWF d/D must be maintained at 0.50. Additional future development flow should not be allowed to contribute to this sewer pipe if the maximum PDWF d/D ratio is going to exceed 0.50.

At a minimum, all pipes shall be 8 inches or larger in diameter and the velocity of flow in the pipe shall be greater than 2 feet per second at average dry weather flow (ADWF). This velocity will prevent deposition of solids in the sewer and help to re-suspend any materials that may have already settled in the pipe. The minimum corresponding slopes for various pipe sizes are shown in Table 3-3.

It is important to note that the slopes listed in Table 3-3 assume the depth of flow in the pipe is 50 or 64 percent full depending on the size. If there is insufficient flow to create this condition, greater slopes than those shown may be required.

The peak flow velocity shall be less than 10 feet per second in vitrified clay pipe.

The City recognizes that minimum slopes and velocities are sometimes not achievable under certain circumstances. On a case by case basis, the City may approve sewer designs that do not meet these criteria.

Table 3-3
Example Sewer Slopes

Sewer Size	2 ft/s Velocity Slope
8"	0.0057
10"	0.0042
12"	0.0033
15"	0.0019
18"	0.0014
21"	0.0011
24"	0.0008
27"	0.0008
30"	0.0007
33"	0.0006
36" & larger	0.0005

**Pipes 12" and smaller assume depth of flow is 50 percent*
**Pipes 15" and greater assume depth of flow is 64 percent*

3-7 Sewer Pump Station Performance Evaluation Criteria

It is desirable to develop a sewer collection system with as few pump stations as possible due to the associated cost and maintenance required. The City's policy does not allow new pump stations. If a pump station is absolutely necessary, the following criteria shall be minimum standards.

The pump station must be designed to be reliable, and sized with sufficient capacity. They must contain redundant equipment, an emergency power supply, bypass pumping capability, sufficient wet well storage, and be able to notify the appropriate personnel in the event of failure.

The primary components of a typical pump station are the wet well, motors, valves, dry well, pumps, ventilation, electrical, controls and the force main. The following general criteria are recommended.

The wet well stores the incoming wastewater until a pump is activated to discharge it to a gravity facility for further conveyance. It shall be designed with sufficient capacity to prevent short cycles whereby the pumps frequently start and stop, yet small enough that it will regularly evacuate sewage from the wet well to prevent the wastewater from becoming septic. Generally, the desired number of pump cycles shall be limited to no more that 6 per hour for motors up to 10 horsepower. Motors up to 75 horsepower shall start no more than 4 times per hour. Larger motors shall cycle less frequently. Pump stations shall also have sufficient volume to store sewage in the event of mechanical or electrical failures, until the City can respond to the failure and prevent overflows. The necessary emergency storage is dependent upon how rapidly the City can respond to a failure and mitigate it. A minimum emergency storage of 30 minutes at peak wet weather flow shall be provided.

The pumps shall be sized to efficiently handle the peak wet weather flows. A minimum of two pumps sized at the peak wet weather flow to the station shall be provided so that sufficient standby capacity is available when one pump is removed for repairs or experiences a mechanical failure. The pumps shall be able to pass a minimum solid size of 3 inches without clogging. The shafts, seals and impellers shall be constructed of wear resistant material to provide long life. Tungsten Carbide seals, Ni-Hard impellers, and 316 stainless steel pump shafts are recommended. For services where aggressive agents may be found in the sewage, such as at golf courses, complete stainless steel construction is recommended. This includes the pump bowl, shaft, impeller, and motor housing.

The dry well houses the valves, pumps, motors and electrical equipment and controls. It must be well ventilated and provide unobstructed access to all equipment. A minimum 3-foot clearance from all obstructions shall be provided. Greater clearances may be required for equipment with special maintenance needs. Provisions for equipment removal including hatches, large door openings, and hoists shall also be provided.

The force mains shall be selected to operate within a 3 feet per second to 5 feet per second velocity range, but shall not be smaller than 4-inches in diameter.

While submersible pump stations may be utilized for the small flows, the larger pump stations shall be the wet well/dry well type. They shall be designed with easy access to all equipment. The National Electric Code classifies the wet wells of wastewater pumping stations as Class I, Group D, Division 1 facilities if ventilated at less than 12 air changes per hour, and Division 2 if continuously ventilated at 12 or more air changes per hour. Dry wells, which are physically separated from wet wells, if ventilated at less than 12 air changes per hour, are classified as Class I, Group D, Division 2 locations. Wet wells, and under certain circumstances dry wells, are considered confined spaces and shall be entered in accordance with the corresponding requirements of Occupational Safety and Health Administration (OSHA).

All pump stations shall incorporate redundant control systems for operation of the pumps. A float system shall be used as a backup for a primary control system that utilizes an ultrasonic device or a bubbler system for level measurement and pump operation.

Full SCADA telemetry equipment which includes a telephone dialer as a backup, must be provided at all sewer pump stations. When an alarm or failed condition occurs, the dialer calls pre-programmed telephone numbers in sequence until the call is acknowledged, indicating response will be provided by City staff. If the alarm or failed condition is not corrected within a set time, the dialer will call the pre-programmed numbers again. The dialer can also be used to remotely check the status of the station if desired.

3-8 Inverted Siphon Performance Evaluation Criteria

In general, siphons should be avoided when possible. This section describes recommended performance criteria for the design of any future siphons.

General

1. Accessibility of the inlet and outlet structures to minimize traffic control setup.
2. Adequate space for equipment setup and vehicle parking, including a buffer for safety.

Siphon Barrels

1. Dual (or multiple) barrels so that normal flow can be diverted to either barrel when the other barrel is cleaned.
2. Minimum barrel diameters of 8-inches.
3. Minimum barrel velocity of 3 feet per second at average dry weather flow and 4 feet per second at peak dry weather flow.
4. Barrels with vertical curves and with no sharp horizontal angles or changes of grade.
5. For an inverted siphon crossing a stream waterway, a minimum of 5 feet between the top of the siphon and the level of possible scour in the stream or waterway.
6. Location away from an outlet of a lateral or a drop manhole
7. Invert of the barrels at the outlet structure at least 0.1 feet lower than the invert at the inlet structure.
8. Siphon materials constructed of pressure rated HDPE or PVC.
9. The maximum angle of the downstream (rising) leg approaching the outlet structure should be no more than 15 degrees from horizontal. The maximum angle of the upstream leg should be no more than 30 degrees from horizontal.

Access Structures

1. Access structure at each end of siphon. Rectangular access structures are preferred.
2. Access structures sized to allow for any maintenance and operation procedure.
3. The interior surface of the access structures are lined, coated or otherwise protected with a suitable corrosion resistant material.
4. Steps, ladders, access frames and covers, gratings and other appurtenances fabricated of 316 stainless steel.
5. Ability to install temporary guard rails while maintenance work is being conducted.

Slide Gates, Stoplogs, Weirs

1. Slide gates, stoplogs, weirs, and similar devices fabricated of 316 stainless steel.

Valves

1. No valves shall be used for siphons.

Air Jumper

1. Adequately sized air jumper line between access structures
2. Minimum air jumper size of 6-inches in diameter.

   The empirical method for determining the cross sectional area of the conduit allocated for gas flow approaching the inverted siphon is as follows:

   $$A_A = 2A_S$$

   Where, A_A = Cross sectional area of airline

   A_S = Flow cross sectional area allocated for gas flow of the approaching conduit
3. Air jumpers made of pressure rated HDPE or PVC.
4. Air jumpers designed to remove condensate with a minimum slope for drainage. Where practical, overhead air jumpers that are self-draining to the access structures are preferred.
5. Air jumpers designed to accommodate the City's inspection and cleaning methods.

A summary of sewer system performance evaluation criteria is listed in Table 3-4.

Table 3-4
Sewer System Performance Evaluation Criteria

Collection System	
Minimum Pipe Size	8-inch
Minimum Velocity	2.0 ft/sec at average flow 3.0 ft/sec at peak dry weather flow
Pipe Depth to Diameter Ratio for *Existing Pipes**	0.64 for all pipe sizes at peak dry weather flow 0.82 for all pipe sizes at peak wet weather flow
Pipe Depth to Diameter Ratio for *New Construction*	0.50 for pipes 12-inches and smaller at peak dry weather flow 0.64 for pipes 15-inches and larger at peak dry weather flow 0.82 for all pipe sizes at peak wet weather flow
Pump Stations	
Pumps	▪ Minimum 2 each sized at peak wet weather flow ▪ Minimum solids handling capacity 3"
Wet Wells	▪ Sized to limit pump cycling to less than 4 to 6 times/hr ▪ Provide sufficient storage at peak wet weather flow to allow response to a failure ▪ Equipment to be maintained must be accessible without entering structure

Ventilation	▪ 12 -air changes/hour minimum in dry well and as required by NFPA 820 ▪ 30-air changes/hour minimum in wet well if not operated continuously ▪ 12-air changes/hour minimum in wet well if operated continuously
Controls	Redundant system. Float operated back-up controls.
Emergency Power	Stationary source with automatic transfer switch
Telemetry	Full SCADA with dialer system as back up at all pump stations to alert personnel in the event of a station failure.
Force Mains	▪ Minimum velocity 3.0 ft/sec ▪ Maximum velocity 5.0 ft/sec ▪ Minimum size 4" ▪ Air/Vacs installed in vaults ▪ Plumb Air/Vacs piping back to wet well to avoid discharges of raw sewage to vaults
Inverted Siphons	
Siphon Barrels	▪ Dual or multiple ▪ Minimum diameters of 8-inches ▪ Minimum velocity of 3 ft/s ADWF and 4 ft/s PDWF ▪ Vertical curves, with no sharp horizontal angles or changes of grade ▪ If crossing a waterway, minimum 5 ft between the top of the siphon and the level of possible scour in the waterway ▪ Location away from an outlet of a lateral or a drop manhole ▪ Invert at the outlet structure at least 0.1 ft lower than invert of inlet structure ▪ Material is HDPE or PVC ▪ Maximum angle of downstream leg no more than 15 degrees from horizontal ▪ Maximum angle of upstream leg no more than 30 degrees from horizontal
Access Structures	▪ Located at each end of siphon, rectangular preferred ▪ Sized to allow for any O&M procedure ▪ Lined, coated, or protected with a suitable corrosion resistant material ▪ Steps, ladders, access frames and covers, gratings and other appurtenances fabricated of 316 stainless steel ▪ Ability to install temporary guard rails
Slide Gates, Stoplogs, Wiers	▪ Fabricated of 316 stainless steel
Valves	▪ No valves allowed
Air Jumper	▪ Adequately sized between access structures ▪ Minimum 6-inches in diameter

	▪ Material is HDPE or PVC ▪ Designed to remove condensate with a minimum slope for drainage; overhead air jumpers that are self-draining to the access structures are preferred ▪ Ability to accommodate City inspection and cleaning methods

** Although this Sewer Master Plan study defined existing pipes as deficient when the d/D ratio exceeded 0.64 under peak dry weather flows, for all practical purposes the aforementioned design criteria provided for new construction must be adhered to.*

3-9 Service Life of Pipe and Pump Station Equipment

In addition to the design criteria discussed in previous sections, the useful lives for which one can expect relatively trouble-free service is also of great importance when assessing an existing or future sewer system. Once the service life of a facility is exceeded, it becomes subject to failure and is often expensive to maintain. The determination of useful life can be difficult and depends on many different considerations including the following:

- Type of materials used and recorded performance of similar installations
- Velocities and flow rates expected in the system
- Chemical and biological conditions of the wastewater
- Construction methods and installation

The values listed in Table 3-5 are generally accepted as prudent planning criteria and are used as benchmarks for replacement recommendations in this study.

Table 3-5
Planning Criteria for Facility Useful Life

Facility	Description	Useful Life (Years)
Gravity Sewers:	Cast Iron Pipe (CIP)	20
	Plastic Pipe	65
	Vitrified Clay Pipe (VCP)	75
Force Mains:	Asbestos-Cement Pipe (ACP)	40
	Ductile Iron Pipe (DIP)	40
	Plastic Pipe	30
Pump Stations:	Structure	60
	Piping	30
	Valving	20
	Mechanical	15
	Electrical	15

3-10 Criteria for Specific Plans and Development Subareas

Each party wishing to pursue development of a tract or area within the City service area shall develop a Sub-Area Master Plan (SAMP). The developer's plans for providing adequate sewer service to all users within the proposed development, how the local sewer system will connect to the backbone and regional system, and the impact of the proposed development to the downstream facilities (to the regional system) shall be fully described in the SAMP. The local sub-area sewers shall meet the sewer design criteria provided in this document and the City Standard Drawings for Sewer Construction. At a minimum, sewage flow calculations shall be based upon the unit flow factors contained in Table 3-2 or higher factors if specific conditions require it.

Where flow from a new development or redevelopment is proposed to be added to an existing City sewer, the existing sewer shall be flow monitored by a qualified company acceptable to the City at the owner's cost for a minimum period of two weeks to verify the existing minimum, average, and peak dry weather flows. The location(s) of flow monitoring shall be determined by the City. Two copies of the flow monitoring report shall be submitted to the City in the City's required format. The City will determine the adequacy of capacity in all the City facilities that will convey the subject flow to the regional facilities. Service to proposed development or redevelopment shall be subject to availability of capacity in the City sewers and regional sewers.

A typical Sub-Area Sewer Master Plan Report shall include, but not be limited to the following:

- Map showing project boundaries and drainage areas
- Detailed land use description and map
- Average dry weather, peak dry weather, and peak wet weather flow calculations
- Exhibit showing all proposed sewer facilities and connections to the downstream regional system
- Phasing of development and wastewater flows
- Hydraulic calculations for phased and fully developed ultimate conditions, from the development to the regional system, meeting all sewer design criteria
- Results of flow monitoring, if project area is tributary to existing City sewers

3-11 General Plan Land Use Changes

Any time a General Plan Amendment is proposed that includes a change in land use from what was included in this Sewer Master Plan, the applicant shall be required and responsible for processing an Amendment to this Sewer Master Plan. The Amendment must incorporate the land use change into the Sewer Master Plan and analyze any and all impacts on the City's sewer system. It must also recommend any required mitigation measures that may be a result of the proposed land use change.

SECTION 4
EXISTING SEWER SYSTEM

4-1 General

The existing sewer system, shown on Figure 4-1, is made up of a network of gravity sewers, pump stations, and force mains. The Original Model Colony (OMC) and Ontario Ranch gravity system combined consists of approximately 384 miles (2,028,218 ft) of pipe and 8,400 manholes and cleanouts. The system also includes three pump stations and 11,100 feet of associated force mains. The total existing average sewer load for the system is estimated at 10.39 mgd.

The general direction of flow is from north to south and east to west. The majority of the local sewers tie into one of the Inland Empire Utilities Agency (IEUA) trunk sewers crossing through the city. The sewage is then transported to IEUA's Regional Plant No. 1 (RP-1) or Regional Plant No. 5 (RP-5) for treatment.

The existing sewers are primarily constructed of vitrified clay pipe with sizes ranging from 4-inches to 48-inches in diameter. Approximately 73 percent of the pipes are 8-inches in diameter. Figure 4-2 shows the length of gravity sewers (feet) in the existing system by pipe size. The majority of the system was constructed between 1950 and 1990 as shown on Figure 4-3. Some of the collection system was constructed as early as 1895.

4-2 Regional Facilities and Points of Connection

The Inland Empire Utilities Agency (IEUA) is the regional agency that provides wastewater collection, treatment and disposal to the west end of San Bernardino County. Its 242 square mile service area includes the Cities of Upland, Montclair, Ontario, Fontana, Chino, Chino Hills, Rancho Cucamonga, and unincorporated areas of San Bernardino County. IEUA's wastewater collection system accepts flows from the collection systems operated by contracting agencies and conveys this wastewater to one of its nearby regional plants for treatment and disposal.

Several regional trunk sewers collect most of the sewage generated in the service area and transport it to IEUA's Regional Plant No.1 (RP-1) for treatment. RP-1 is located south of the Pomona Freeway (SR-60) and west of Cucamonga Creek, as shown on Figure 4-1. It has been in operation since 1948. It has a current capacity of 44 million gallons per day. RP-1 also serves the Cities of Rancho Cucamonga, Upland, Montclair, Fontana, and portions of unincorporated San Bernardino County.

IEUA began operation of Regional Plant No.5 (RP-5) in March 2004. RP-5 is located in the City of Chino at the southeast corner of Kimball Avenue and El Prado Road, as shown on Figure 4-1. It has an ultimate capacity of 60 million gallons per day. Sewage generated in Ontario Ranch, as well as the flow diverted from the Original Model Colony lift station tributary areas is treated at RP-5.

There are 100 identified regional connection locations where the City's facilities connect to IEUA trunk sewers. Some are future planned connections. All locations are listed in Table 4-1.

SECTION 7
HYDRAULIC SYSTEM ANALYSIS

7-1 Gravity System

The analysis of the sewer collection system was based upon the calculated existing and future peak dry weather flows. The hydraulic analysis results can be found in *Appendix 6.2* of this report. Pipes that exceed the following criteria are considered hydraulically deficient: Peak Dry Weather d/D > 0.64. The hydraulic deficiencies, based upon the criteria above, are listed in Table 7-1. The locations of these deficiencies are shown on Figure 7-1.

The total length of existing sewers found to be capacity deficient per the developed criteria discussed in Section 3 is 2,137 feet. This is 0.11 percent (2,137 / 2,028,218) of the total existing system length. This percentage is quite minimal in part because the City has completed several capital improvement projects since the last Sewer Master Plan was completed in 2012 and in part because sewage generation is generally lower than in the past due to water conservation efforts.

When the future development loads were applied to the model, it was found that an additional 7,645 feet of existing sewer would become capacity deficient per the developed criteria.

7-2 Pump Stations

The City currently owns and operates three sewer pump stations, namely Magnolia Pump Station, Haven Pump Station, and Edenglen Pump Station. Detailed descriptions of each pump station can be found in Section 4-7.

The Magnolia Pump Station is a wet well – dry well facility with two pumps, each rated at 400 gpm. The firm capacity of the Magnolia Pump Station is therefore 400 gpm. This is sufficient to pump the existing and future wet weather flows of 128 gpm.

The Haven Pump Station is a submersible pump station with four pumps rated at 3,400 gpm each. The estimated existing peak wet weather flow is 425 gpm. The estimated future peak wet weather flow is 515 gpm. Assuming one pump is for stand-by purposes, the firm capacity of the station is 10,200 gpm, which is significantly greater than the future peak wet weather flows.

The Edenglen Pump Station is a submersible pump station with two pumps rated at 120 gpm each. The pump station serves a total of about 525 dwelling units with an estimated average flow of 41,200 gpd or 29 gpm. The peak wet weather flow is estimated at 137,450 gpd or 95 gpm. During the pump station start-up testing which was conducted on November 9, 2007, the pump station delivered approximately 180 gpm. This is sufficient to pump the existing and future wet weather flows.

The Inland Empire Boulevard Pump Station has 2 pumps each rated at 100 gpm. The existing flow is minimal at less than 3 gpm. The estimated future average dry weather flow and peak dry weather flow is estimated at 412,965 gpd (287 gpm) and 803,496 gpd (558 gpm), respectively. The peak wet weather flow is estimated at 1,076,685 gpd (748 gpm).

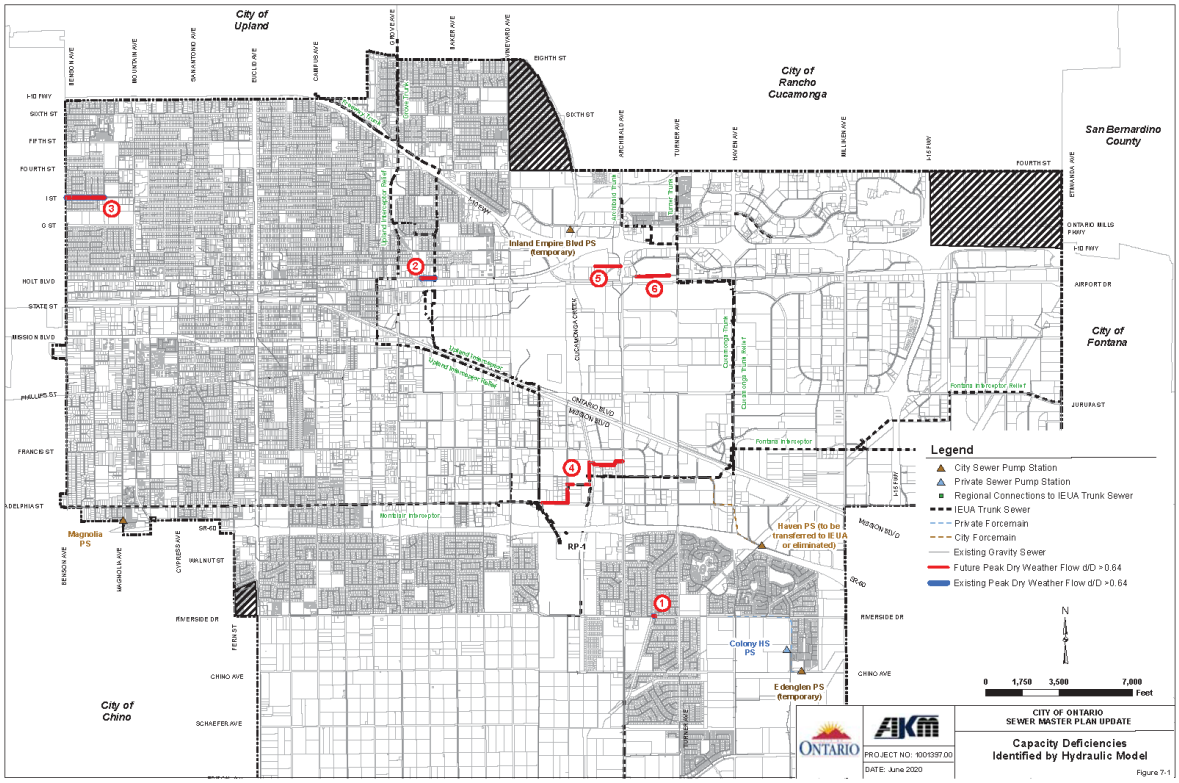

City of Upland
City of Rancho Cucamonga
San Bernardino County
City of Fontana
City of Chino
Inland Empire Blvd PS (temporary)
Magnolia PS
Raven PS (to be transferred to IEUA or eliminated)
Colony HS PS
Edenglen PS (temporary)
RP-1
Legend
City Sewer Pump Station
Private Sewer Pump Station
Regional Connections to IEUA Trunk Sewer
IEUA Trunk Sewer
Private Forcemain
City Forcemain
Existing Gravity Sewer
Future Peak Dry Weather Flow d/D >0.64
Existing Peak Dry Weather Flow d/D >0.64
0 1,750 3,500 7,000 Feet
CITY OF ONTARIO SEWER MASTER PLAN UPDATE
Capacity Deficiencies Identified by Hydraulic Model
PROJECT NO: 1001397.00
DATE: June 2020
Figure 7-1

Table 7-1
Hydraulic Deficiencies Identified by Hydraulic Model

General Information										Existing Conditions					Future Conditions					
Model	Location Number	Location Description	Pipe ID	U/S MH ID	D/S MH ID	Diameter (in)	Length (ft)	Slope	Full Flow (mgd)	PDWF (mgd)	ADWF (mgd)	PDWF Vel (ft/s)	PDWF d/D	PDWF Water Depth (ft)	PDWF (mgd)	ADWF (mgd)	PDWF Vel (ft/s)	PDWF d/D	PDWF Water Depth (ft)	Comments/Recommendations
South	1	Riverside Dr, east of Lower Deer Creek	R19TM1125	R19MH182	R19MH181	15	95	-0.0054		0.9163	0.4784	1.16	1.00	1.25	0.3923	0.1850	0.49	1.00	1.25	Inverts per As-built plan S13564. Verify the inverts in the field. If inverts in model are incorrect, rerun model and possibly eliminate deficiency. This is not deficient in the future scenario, because all flow at Riverside and Haven is diverted south into Haven Avenue Trunk Sewer.
			R19TM1124	R19MH181	R19MH180	15	52	0.0004	0.8242	0.9163	0.4784	1.16	1.00	1.25	0.3923	0.1850	1.03	0.49	0.61	Inverts per As-built plan S13564 which provides an adverse slope. Verify inverts in the field. If inverts in model are incorrect, rerun model and possibly eliminate deficiency.
North	2	Holt Blvd west of Imperial Ave	J161027	J16135	J16137	10	330	0.0026	0.7296	0.6370	0.3184	2.33	0.72	0.60	0.7639	0.3902	2.17	1.00	0.83	City is currently studying this location.
			J161047	J16137	J16133	10	303	0.0026	0.7250	0.6370	0.3184	2.32	0.73	0.61	0.7764	0.3974	2.20	1.00	0.83	
North	3	I St, btw Elderberry Ave and Fuchsia Ave	H111001	H11149	H10134	8	292	0.0038	0.4806	0.3671	0.1717	2.35	0.65	0.44	0.3713	0.1740	2.35	0.66	0.44	Flow monitor to verify sewage flows. If deficient, construct about 360 feet of 8-inch sewer in Mountain Avenue, south of I Street (from MH H11143 to I11100) and divert flow south. Possibly use existing sewer in I Street as an overflow.
		I St, btw Fuchsia Ave and Gardenia Ave	H101052	H10136	H10138	8	241	0.0036	0.4705	0.3842	0.1808	2.33	0.69	0.46	0.3884	0.1830	2.33	0.69	0.46	
		I St, btw Gardenia Ave and Oaks Ave	H101032	H10137	H10139	8	181	0.0036	0.4692	0.3948	0.1863	2.33	0.70	0.47	0.3990	0.1888	2.33	0.71	0.47	
		I St, btw Oaks Ave and Jasmine Ave	H101031	H10139	H10140	8	149	0.0046	0.5329	0.4076	0.1931	2.60	0.66	0.44	0.4118	0.1953	2.61	0.66	0.44	
			H101024	H10140	H10141	8	243	0.0041	0.4998	0.4092	0.1940	2.47	0.69	0.46	0.4134	0.1962	2.48	0.69	0.46	
			H101023	H10141	H10142	8	252	0.0040	0.4982	0.4122	0.1956	2.47	0.69	0.46	0.4164	0.1978	2.47	0.70	0.47	
		I St, btw Jasmine Ave and Benson Ave	H101022	H10142	H10135	8	273	0.0048	0.5404	0.4336	0.2070	2.66	0.66	0.45	0.4377	0.2092	2.67	0.68	0.46	
North	4	Easements btw Archibald Ave and Cucamonga Creek, north of Philadelphia St	O191016	O19107	O19106	18	322	0.0016	2.7105	0.2188	0.0962	1.43	0.19	0.29	2.524	1.4882	2.70	0.76	1.15	Investigate the potential of diverting the flow south in Archibald to a new IEUA connection in Cedar Street. There is an existing issue at the siphon crossing Cucamonga Creek. Smart Manhole cover located at MH O18103. High water alarm has been triggered in the past and crews go to clear blockages. Based on review of the siphon design and the Smart Cover information, it appears that debris in the siphon cannot be pushed through due to the very low velocities, causing the sewage to back up into MH O18103. Redesigning and reconstructing or analyzing alternative to eliminate this siphon should be considered.
			O191017	O19108	O19114	18	186	0.0016	2.7348	0.2188	0.0962	1.43	0.19	0.29	2.524	1.4882	2.72	0.76	1.14	
			O191018	O19114	O19113	18	291	0.0016	2.7358	0.2188	0.0962	1.43	0.19	0.29	2.524	1.4882	2.72	0.76	1.14	
			O191006	O19113	O18106	18	250	0.0016	2.7230	0.2188	0.0962	1.43	0.19	0.29	2.524	1.4882	2.71	0.76	1.14	
			O181079	O18106	O18105	18	387	0.0016	2.7246	0.2437	0.1086	1.48	0.20	0.30	2.543	1.5006	2.71	0.77	1.15	
			O181025	O18105	O18103	18	121	0.0016	2.6973	0.2437	0.1086	1.47	0.20	0.30	2.543	1.5006	2.69	0.77	1.16	
		Easements btw Hellman Ave and Cucamonga Creek, north of Philadelphia St	O181016	O18102	O18108	18	310	0.0016	2.7332	0.2569	0.1152	1.50	0.21	0.31	2.553	1.5072	2.72	0.77	1.15	
			O181015	O18108	O18118	18	311	0.0016	2.7311	0.2569	0.1152	1.50	0.21	0.31	2.553	1.5072	2.72	0.77	1.15	
			O181047	O18118	O18127	18	99	0.0006	1.6763	0.2622	0.1178	1.07	0.27	0.40	2.557	1.5098	2.24	1.00	1.50	
			O181094	O18139	O18138	18	167	0.0025	3.4117	0.2635	0.1185	1.77	0.19	0.28	2.558	1.5105	3.28	0.65	0.97	
			O181095	O18136	O18135	18	296	0.0025	3.4036	0.2635	0.1185	1.77	0.19	0.28	2.558	1.5105	3.27	0.65	0.97	
		Hellman Ave, north of Philadelphia St	O181004	O18148	P18101	18	369	0.0022	3.1915	0.3344	0.1547	1.81	0.22	0.33	2.659	1.5771	3.13	0.70	1.05	
			P181019	P18101	P18108	18	263	0.0022	3.1952	0.3348	0.1550	1.81	0.22	0.33	2.659	1.5773	3.13	0.70	1.05	
		Philadelphia St, west of Hellman Ave	P181007	P18108	P18107	18	333	0.0014	2.5828	0.3348	0.1550	1.56	0.24	0.36	2.659	1.5773	2.33	1.00	1.50	
			P181008	P18107	P18106	18	336	0.0014	2.5730	0.3375	0.1563	1.56	0.24	0.37	2.661	1.5787	2.33	1.00	1.50	
			P181011	P18106	P18105	18	251	0.0014	2.5805	0.3381	0.1567	1.56	0.24	0.37	2.662	1.5790	2.33	1.00	1.50	
			P181016	P18105	P18133	18	249	0.0014	2.5515	0.3381	0.1567	1.55	0.25	0.37	2.662	1.5790	2.33	1.00	1.50	

Table 7-1 (Continued)
Hydraulic Deficiencies Identified by Hydraulic Model

General Information										Existing Conditions					Future Conditions					
Model	*Location Number	Location Description	Pipe ID	U/S MH ID	D/S MH ID	Diameter (in)	Length (ft)	Slope	Full Flow (mgd)	PDWF (mgd)	ADWF (mgd)	PDWF Vel (ft/s)	PDWF d/D	PDWF Water Depth (ft)	PDWF (mgd)	ADWF (mgd)	PDWF Vel (ft/s)	PDWF d/D	PDWF Water Depth (ft)	Comments/Recommendations
North	5	South of I-10 Fwy, west of Archibald Ave	J181010	J18106	J18107	8	325	0.0052	0.5643	0.0277	0.0095	1.30	0.15	0.10	0.6951	0.3511	3.08	1.00	0.67	Future deficiency due to Multi Modal Mixed Use development loads. Monitor sewage flows as development occurs.
			J191001	J18107	J19110	8	324	0.0052	0.5639	0.0277	0.0095	1.30	0.15	0.10	0.6951	0.3511	3.08	1.00	0.67	
			J191012	J19110	J19112	8	280	0.0052	0.5655	0.0277	0.0095	1.30	0.15	0.10	0.6951	0.3511	3.08	1.00	0.67	
			J191011	J19112	J19111	8	256	0.0058	0.5960	0.0277	0.0095	1.35	0.15	0.10	0.6951	0.3511	3.08	1.00	0.67	
North	6	Old Guasti Rd, btw Turner Ave and Archibald Ave	J191004	J20131	J19116	8	303	0.0045	0.5231	0.0506	0.0187	1.47	0.21	0.14	0.4145	0.1968	2.57	0.67	0.45	Future deficiency due to Guasti Plaza and Airport Towers Mixed Use development loads (applied at J19116 in model). Monitor sewage flows as development occurs.
			J191047	J19116	J19119	8	297	0.0044	0.5223	0.0506	0.0187	1.47	0.21	0.14	0.4145	0.1968	2.57	0.67	0.45	
			J191046	J19119	J19121	8	313	0.0045	0.5235	0.0506	0.0187	1.47	0.21	0.14	0.4145	0.1968	2.57	0.67	0.45	
			J191035	J19121	J19123	8	354	0.0048	0.5397	0.0506	0.0187	1.50	0.21	0.14	0.4145	0.1968	2.64	0.68	0.44	
			J19CL1034	J19123	J19MH139	8	380	0.0032	0.4453	0.0506	0.0187	1.31	0.23	0.15	0.4145	0.1968	2.24	0.78	0.51	
*Corresponds to Figure 7-1					Total		9,782													

SECTION 8
CAPACITY IMPROVEMENT PROJECTS AND PROPOSED SEWER FACILITIES

8-1 General

The primary goal of the development of the Capacity Improvement Project list is to provide the City of Ontario with a long-range planning tool for implementing its sewer capacity improvements in an orderly manner and a basis for financing of these improvements. To accomplish this goal, the program is phased based upon the implementation cost of the facilities, the quantity of work the City can reasonably administer each year, and the funds available for these projects.

8-2 Project Priorities

The capacity improvement projects were selected primarily with consideration of the health and safety of the public and protection of the environment by minimizing the possibility of overflows. The projects that will eliminate the capacity deficiencies in the gravity collection system are prioritized based upon the hydraulic analyses conducted during this study.

For this study, the gravity sewer projects were prioritized as follows:

1. Facilities identified with capacity deficiencies under existing peak dry weather conditions. **Flow monitoring is recommended prior to project implementation.**

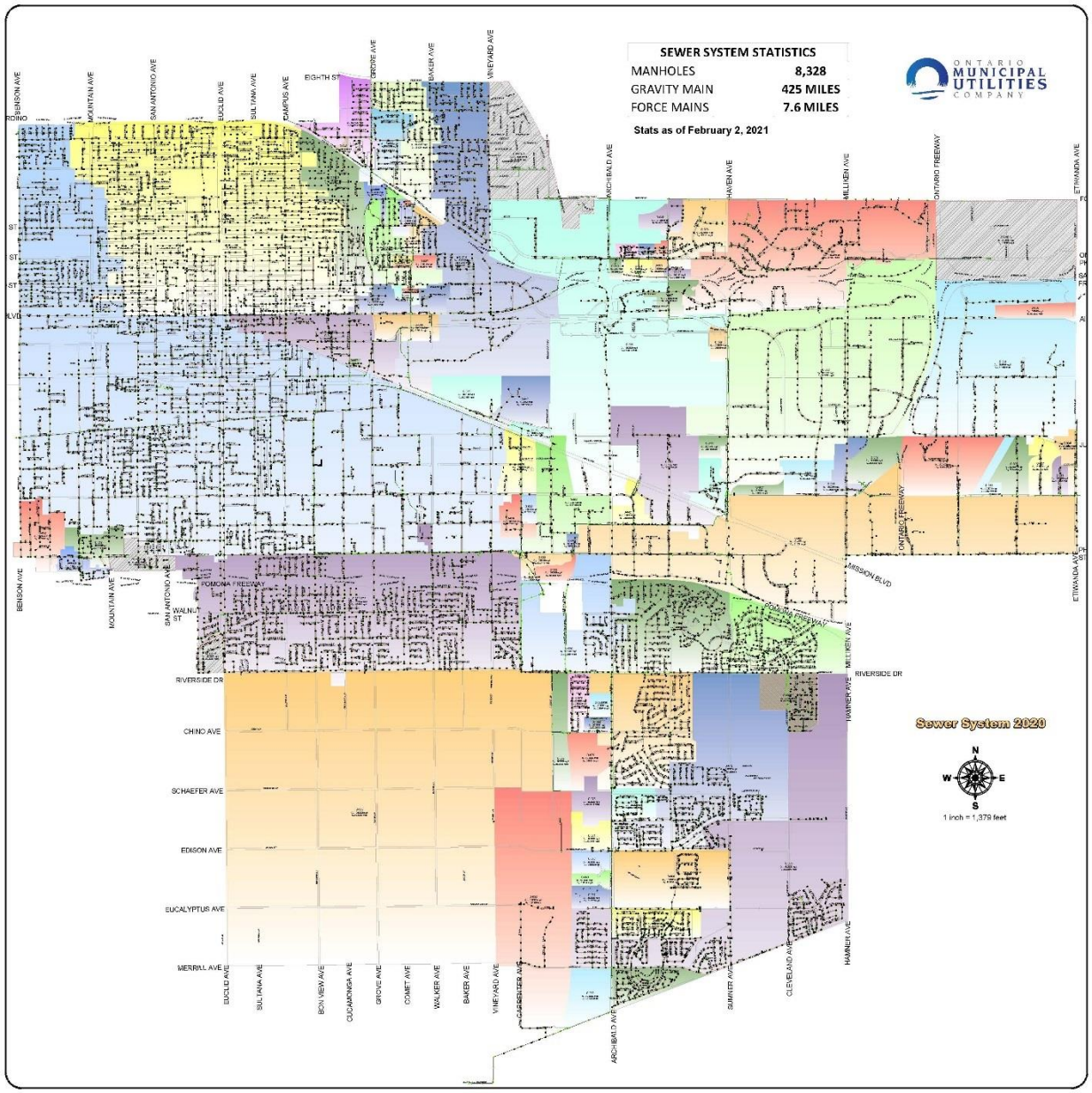
2. Facilities that have calculated future capacity deficiencies but are currently considered adequate under existing peak dry weather conditions. **Flow monitoring is recommended prior to project implementation.** When the measured peak flows exceed the pipe capacity (d/D = 0.64 during peak dry weather conditions), the projects should be reprioritized.

8-3 Project Cost Estimates

The capacity improvement projects are developed based upon the results of the hydraulic analyses and the priorities of Section 8-2. The cost estimates are based upon recent information for similar projects in the City of Ontario and include contingencies for this planning level study. The cost estimates are based on the unit construction costs shown in Table 8-1. Pipeline costs take into consideration the size of the pipe as well as whether the construction will be within the OMC or OR area. The OMC area is largely developed and there are many existing utilities to consider. Therefore, the costs of replacing sewer pipes will be generally higher than in an area that is undeveloped such as the OR area.

The pipe improvement recommendations are typically based on the replacement of the existing pipes in the same alignment. Replacement costs are generally more conservative and will therefore allow the City more flexibility for each project. Preliminary design studies should be conducted utilizing detailed utility information to identify and evaluate project alternatives such as parallel pipes and/or diversions prior to final design.

Appendix J - Sewer System Map


SEWER SYSTEM STATISTICS
MANHOLES 8,328
GRAVITY MAIN 425 MILES
FORCE MAINS 7.6 MILES
Stats as of February 2, 2021
ONTARIO MUNICIPAL UTILITIES COMPANY
Sewer System 2020
1 inch = 1,379 feet
N
W
E
S
BENSON AVE
MOUNTAIN AVE
SAN ANTONIO AVE
EUCLID AVE
SULTANA AVE
CAMPUS AVE
EIGHTH ST
GROVE AVE
BAKER AVE
VINEYARD AVE
ARCHIBALD AVE
HAVEN AVE
MILLIKEN AVE
ONTARIO FREEWAY
ETIWANDA AVE
POMONA FREEWAY
WALNUT ST
MISSION BLVD
RIVERSIDE DR
CHINO AVE
SCHAEFER AVE
EDISON AVE
EUCALYPTUS AVE
MERRILL AVE
HAMNER AVE
BON VIEW AVE
CUCAMONGA AVE
COMET AVE
WALKER AVE
CARRESTER AVE
SUMNER AVE
CLEVELAND AVE

Appendix K - SmartCover® Locations

SmartCover® Locations

Manhole ID #	Location	Major cross street(s)
K11MH112	1044 Brooks St.	East of Mountain Ave.
O18MH103	1900 S. Proforma	North of Philadelphia St. West of Archibald Ave.
M13MH119	215 E. Phillips	East of Euclid Ave.
M12MH101	632 W. Belmont	East Of San Antonio Ave.
I15MH164	951 E. Flora St.	South of G St. west of Allyn Ave.
I17MH103	Granada & Plaza Serena	West of Vineyard Ave.
J17MH147	Mark Christopher Parking Lot	South of Holt Blvd. east of Vineyard Ave.
P10MH110	Philadelphia & Oaks	East of Benson Ave.
R16MH161	2672 E. Riverside Drive	West of Archibald Ave.
J15MH134	Alley between Allyn & Nocta	East of Allyn

Appendix L - SSMP Audit Checklist

SSMP Audit Checklist

City of Ontario Sewer System Management Plan (SSMP)

The purpose of the SSMP Audit is to evaluate the effectiveness of the City of Ontario's SSMP and to identify deficiencies, if any, and steps to correct them. The audit is prepared pursuant to the State Water Resources Control Board, WDR, September, 2006.

Directions: Please check **YES** or **NO** for each question. If **NO** is answered for any question, describe the updates/changes needed and the timeline to complete those changes in the "Description of Scheduled Updates/Changes to the SSMP" at the end of this form on Page 5.

		YES	NO
ELEMENT 1 – GOALS			
A.	Are the goals stated in the SSMP still appropriate and accurate?	☑	☐
ELEMENT 2 – ORGANIZATION			
A.	Is the Sanitary Sewer Overflow Responder Telephone List current?	☑	☐
B.	Is Table 1 of the SSMP, entitled "Organization Structure," current?	☑	☐
C.	Are position descriptions an accurate portrayal of staff Responsibilities?	☑	☐
D.	Is Table 2 of the SSMP, titled "Chain of Communication for Reporting and Responding to SSOs," accurate and up-to-date?	☑	☐
ELEMENT 3 – LEGAL AUTHORITY			
Does the SSMP contain excerpts from the current City Municipal Code documenting the City's legal authority to:			
A.	Prevent illicit discharges?	☑	☐
B.	Require proper design and construction of sewers and connections?	☑	☐
C.	Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the City?	☑	☐
D.	Limit discharges of fats, oil and grease?	☑	☐
E.	Enforce any violation of its sewer ordinances?	☑	☐

		YES	NO
ELEMENT 4 – OPERATIONS AND MAINTENANCE			
	Collection System Maps		
A.	Does the SSMP reference the current process and procedures for maintaining the City's wastewater collection system maps?	☑	☐
B.	Are the City's wastewater collection system maps complete, current, and sufficiently detailed?	☑	☐
	Resources and Budget		
C.	Does the City allocate sufficient funds for the effective operation, maintenance and repair of the wastewater collection system and is Prioritized Preventive Maintenance	☑	☐
	Prioritized Preventive Maintenance		
D.	Does the SSMP describe current preventive maintenance activities and the system for prioritizing the cleaning of sewer lines?	☑	☐
E.	Based upon information in the Annual Report, are the City's preventive maintenance activities sufficient and effective in minimizing SSOs and blockages?	☑	☐
	Scheduled Inspections and Condition Assessments		
F.	Is there an ongoing condition assessment program sufficient to develop a capital improvement plan addressing the proper management and protection of infrastructure assets? Are the current components of this program documented in the SSMP?	☑	☐
	Equipment and Replacement Parts		
G.	Does the SSMP reference the procedures used for inventory management of equipment and parts used in the operation and maintenance of the collection system?	☑	☐
H.	Are contingency equipment and replacement parts sufficient to respond to emergencies and properly conduct regular maintenance?	☑	☐
	Training		
I.	Is the training calendar current?	☑	☐
J.	Does the SSMP document current training expectations and programs within the City's Wastewater Department?	☑	☐
	Outreach to Plumbers and Building Contractors		
K.	Does the SSMP document current outreach efforts to plumbers and building contractors?	☑	☐

		YES	NO
ELEMENT 5 – DESIGN AND PERFORMANCE STANDARDS			
A.	Does the SSMP contain current design and construction standards for the installation of new sanitary sewer systems, pump stations and other appurtenances and for the rehabilitation and repair of existing sanitary sewer systems?	☑	☐
B.	Does the SSMP document current procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and the rehabilitation and repair of existing sewer lines?	☑	☐
ELEMENT 6 – OVERFLOW AND EMERGENCY RESPONSE PLAN			
A.	Does the City's Sanitary Sewer Emergency Overflow and Backup Response Plan establish procedures for the emergency response, notification, and reporting of sanitary sewer overflows (SSOs)?	☑	☐
B.	Are Wastewater Division staff and contractor personnel appropriately trained on the procedures of the Sanitary Sewer Overflow and Backup Response Plan?	☑	☐
C.	Considering performance indicator data in the Annual SSO Report, is the Overflow and Emergency Response Plan effective in handling SSOs in order to safeguard public health and the environment?	☑	☐
ELEMENT 7 – FATS, OILS, AND GREASE (FOG) CONTROL PROGRAM			
A.	Does the Fats, Oils, and Grease (FOG) Control Program include efforts to educate the public on the proper handling and disposal of FOG?	☑	☐
B.	Are requirements for grease removal devices, best management practices (BMP), record keeping and reporting established in the City's FOG Control Program?	☑	☐
C.	Does the City have sufficient legal authority to implement and enforce the FOG Control Program?	☑	☐
D.	Is the current FOG program effective in minimizing blockages of sewer lines resulting from discharges of FOG to the system	☑	☐
ELEMENT 8 – SYSTEM EVALUATION AND CAPACITY ASSURANCE PLAN			
A.	Does the City Sanitary Sewer Master Plan evaluate hydraulic deficiencies in the system, establish sufficient design criteria and recommend both short and long term capacity enhancement and improvement projects?	☑	☐
B.	Does the City's Capital Improvement Plan (CIP) establish a schedule of approximate completion dates for both short and longterm improvements and is the schedule reviewed and updated to reflect current budgetary capabilities and activity accomplishment?	☑	☐

		YES	NO
ELEMENT 9 – MONITORING, MEASUREMENT, AND PROGRAM MODIFICATIONS			
A.	Does the City maintain relevent info needed to monitor the implementation and effectiveness of the SSMP?	☑	☐
B.	Is the City able to sufficiently evaluate the effectiveness of SSMP elements based on relevant information?	☑	☐
ELEMENT 10 – SSMP AUDITS			
A.	Will the SSMP Audit be prepared along with the Annual Report by March 15th of the year following the end of the calendar year being audited?	☑	☐
ELEMENT 11 – COMMUNICATION PROGRAM			
A.	Does the City effectively communicate with the public and satellite and other agencies about the development and implementation of the SSMP and continue to address any feedback?	☑	☐

Description of Scheduled Updates/Changes to the SSMP

Directions: For each NO answer, please describe the planned revision and indicate the date the revision will be completed. Reference the SSMP element and question number with each explanation.

Prepared by: _____ 2/11/2021

Tittle: Assistant General Manager - Utilities Engineering & Operations

Appendix M – Overflow Emergency Response Plan

SANITARY SEWER OVERFLOW

EMERGENCY RESPONSE PLAN

June 2018

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Attachments

Sanitary Sewer Overflow Field Report Form ..... Attachment A

Sanitary Sewer Overflow Water Quality Monitoring Plan ..... Attachment B

Receiving Water Inspection / Sampling Log ..... Attachment C

Ontario Employee Contact list ..... Attachment D

Mutual Aid Contact List ..... Attachment E

Flood Control Facility Map ..... Attachment F

Volume Estimation Work Sheet ..... Attachment G

I. OBJECTIVE

The City of Ontario's Sanitary Sewer Overflow Emergency Response Plan (SSO ERP) is designed to ensure that every report of a sanitary sewer overflow (SSO) is dispatched to the appropriate response personnel so that the effects of the overflow can be minimized with respect to its adverse impacts on public health, the environment, and property. The source of the SSO shall be stopped and the spill contained as soon as possible. Notification and reporting to governmental agencies, affected residents and property owners shall be done in an appropriate time frame. All state and local regulations shall be observed and implemented in response and remediation procedures.

II. SCOPE

A. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California are required to comply with the terms of this Order.

B. Sanitary sewer overflows (SSOs) are overflows from sanitary sewer systems of domestic wastewater, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs often contain high levels of suspended solids, pathogenic organics, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters.

C. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow /infiltration, debris blockages, sanitary sewer system age and construction material failures, lack of proper operation and maintenance, insufficient capacity and contractor-caused damages.

III. DEFINITIONS

A. SSO Categories

i. **Category 1 SSO** – Discharges of untreated or partially treated wastewater of **any volume** resulting from a City's sewer system failure or flow condition that:

a. Reach surface water and/or reach a drainage channel tributary to a surface water; or

b. Reach a Municipal Separate Storm Sewer System (MS4) and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).

ii. **Category 2 SSO** – Discharges of untreated or partially treated wastewater of **1,000 gallons or greater** resulting from a City sanitary sewer system failure or flow condition that **does not** reach a surface water, a drainage channel, or the MS4 unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.

iii. **Category 3 SSO** – All other discharges of untreated or partially treated wastewater resulting from a City sanitary sewer system failure or flow condition.

iv. **Private Lateral Sewage Discharge (PLSD)** – Discharges of untreated or partially treated wastewater resulting from blockages or other problems **within a privately owned sewer lateral** connected to the City's sanitary sewer system or from other private sanitary sewer system assets. PLSDs that the City becomes aware of may be voluntarily reported to the California Integrated Water Quality System (CIWQS) Online SSO Database.

B. **Order** – State Water Resources Control Board Order No. 2006-0003-DWQ; Amending Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems Order No. WQ 2013-0058-EXEC.

C. **Receiving Water** – Surface waters receiving discharge from stormwater conveyance systems.

D. **SSO Reporting System** – Online spill reporting system that is hosted, controlled, and maintained by the State Water Resources Control Board. The web address for this site is http://ciwqs.waterboards.ca.gov. This online database is maintained on a secure site and is controlled by unique usernames and passwords.

E. **Sanitary sewer overflow (SSO)** – Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:

i. Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;

ii. Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and

iii. Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.

F. **Sanitary sewer system** – Any system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

G. **Surface Waters** – Waters of the United States as defined in 40 CFR 122.2 such as navigable waters, rivers, streams (including ephemeral streams), lakes, natural ponds, lagoons,

estuaries, man-made canals, ditches, wet meadows, wetlands, marshes, sloughs and water courses.

IV. IMPLEMENTATION

A. The City shall take all feasible steps to eliminate SSOs. In the event that an SSO does occur, the City shall take all feasible steps to contain and mitigate the impacts of an SSO.

B. The City supervisor or highest level staff person on-site is responsible for using sound judgment in efforts to stop and contain the SSO as soon as possible, initiate proper notifications in accordance with an approved communication plan, and implement safe and effective measures to remediate the spill.

C. All SSOs shall be reported in accordance with Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Resources Control Board Order No. 2006-0003-DWQ) and Amended Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Resources Control Board Order No. WQ 2013-0058-EXEC); and amendments thereto.

D. The City shall ensure that up-to-date copies of the Sanitary Sewer Overflow Emergency Response Plan are readily available to sewer system operation and maintenance personnel at all times.

E. The City shall ensure that SSO response personnel are properly trained in the use of the Sanitary Sewer Overflow Emergency Response Plan.

V. RESPONSE PROCEDURES

A. When a report of a possible SSO is received, it triggers an immediate response to identify and correct the problem. This section describes the general procedures employed by the City to stop, contain, and clean up the impact of an overflow. City personnel shall perform the following SSO response procedures, as applicable. The SSO Response Procedures Checklist (Attachment 2) is completed for all Category 1 and Category 2 SSOs.

B. **Investigation and Assessment** - Following notification of a possible sanitary sewer overflow, a crew is dispatched to conduct an investigation. The initial response team is responsible for assessing the cause of the problem and determining the level of effort needed to correct the problem. If the overflow is confirmed, the supervisor or highest level staff person on-site shall record the relevant spill information on a sewer overflow incident report form.

C. **Notify Response Personnel** - Response personnel are dispatched to the site as appropriate based on the following criteria:

i. Source of the SSO

ii. Volume of the SSO

iii. Severity of the SSO

The supervisor or highest level staff person on-site shall immediately notify appropriate SSO response personnel. SSO response personnel are City staff trained to respond to SSO situations. Personnel involved in clean-up activities shall be trained and properly equipped with appropriate personal protective equipment (PPE). Appropriate PPE shall be determined by the site supervisor based on the hazard, weather conditions and clean-up procedures.

D. Stop and Contain Overflow - The supervisor or highest level staff person on-site shall be responsible for determining the most effective method(s) to:

i. Control or limit the SSO volume discharged;

ii. Terminate the SSO as rapidly as possible; and

iii. Contain the spill as rapidly as possible.

E. Traffic and Crowd Control - SSO response personnel shall be adequately trained in traffic control procedures and public safety requirements.

i. The supervisor or highest level staff person on-site shall be responsible for determining the most effective method(s) to:

a. Safely control traffic flow around the spill area; and

b. Provide crowd control measures to ensure public safety at all times.

ii. The following City Departments may be contacted to assist with traffic and crowd control measures:

a. Police Department

b. Highway Patrol

F. Clean-up and Remediation

i. The supervisor or highest level staff person on-site is responsible for determining the most effective clean-up method and remediation procedures and shall determine when adequate remediation procedures have been completed.

ii. For SSOs contained downstream in the stormwater collection system due to hydraulic surcharging of the system (typically involving gravity discharges), the City will remediate the SSO by removing from the system at the point of containment a minimum of one hydro-vactor load of wastewater (approximately 2,000-2,500 gallons) or three times the volume of the SSO, whichever is greater.

VI. NOTIFICATION REQUIREMENTS

A. For any Category 1 SSO greater than or equal to 1,000 gallons that results in a discharge to a surface water or spilled in a location where it probably will be discharged to surface water, either directly or by way of a drainage channel or MS4, the City shall, as soon as possible, but not later than two (2) hours after (A) the City has knowledge of the discharge, (B)

notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures, notify Cal OES and obtain a notification control number.

i. **Category 1 and Category 2 SSOs:**

a. Cal OES within 2 hours of becoming aware of SSO: (800) 852-7550

- Obtain a notification control number

b. Notify Santa Ana Regional Water Quality Control Board (RWQCB) within 24 hours of becoming aware of SSO and provide the Cal OES notification control number:

- Ken Theisen, Basin Planning Inland Waters Section
  1. Email: ktheisen@waterboards.ca.gov.
  2. Office Phone: (951) 320-2028

c. If SSO enters a flood control District, call the following and provide the CalOES notification control number:

- Office Hours: (909) 899-4366
- After Hours: (909) 356-3805

d. Draft SSO report in CIWQS (http://ciwqs.waterboards.ca.gov) must be done within **3 business days** of becoming aware of SSO.

e. Overflow Report due to RWQCB within **5 business days.**

f. Final SSO report shall be certified in CIWQS within **15 calendar days** of the end date of the SSO.

3. Category 3 SSOs:

a. All SSO's must be reported in CIWQS within 30 calendar days after the end of the calendar month in which the SSO occurs.

4. Private Lateral Sewage Discharge (PLSD)

a. Notification to CalOES is encouraged when a PLSD greater than or equal to 1,000 gallons has or may result in a discharge to surface water.

b. For any private lateral sewage discharges greater than or equal to 1,000 gallons regardless of the spill destination, the enrollee is also encouraged to file spill report as required by Health and Safety Code §5410 et. seq. and Water Code §13271. OMUC documents all private lateral sewage spills.

c. OMUC reports all private lateral spills into CIWQS.

B. To satisfy notification requirements for each applicable SSO, the City shall provide the information requested by Cal OES before receiving a control number. Spill information requested by Cal OES may include:

i. Name of person notifying Cal OES and direct return phone number.

ii. Estimated SSO volume discharged (gallons).

iii. If ongoing, estimated SSO discharge rate (gallons per minute).

iv. SSO Incident Description:
   a. Brief narrative.

   b. On-scene point of contact for additional information (name and cell number).

   c. Date and time City became aware of SSO.

   d. Name of sanitary sewer system agency causing the SSO.

   e. SSO cause (if known).

v. Indication of whether SSO has been contained.

vi. Indication of whether surface water or basin is impacted.

vii. Name of surface water or basin impacted by SSO, if applicable.

viii. Indication of whether a drinking water supply is or may be impacted by SSO.

ix. Any other known SSO impacts.

x. SSO incident location (address or cross streets, city, state, and zip code).

C. Following the initial notification to Cal OES and until such time that City certifies the SSO report in the CIWQS Online SSO Database, the City shall provide updates to Cal OES regarding substantial changes to the estimated volume of untreated or partially treated sewage discharged and any substantial change(s) to known impact(s).

VII. REPORTING PROCEDURES

A. **CIWQS Online SSO Database Account:** The City shall maintain a CIWQS Online SSO Database account and maintain a "Username" and "Password" by registering through CIWQS. These accounts allow controlled and secure entry into the CIWQS Online SSO Database.

B. **SSO Mandatory Reporting Information:** For reporting purposes, if one SSO event results in multiple appearance points in a sewer system asset, the City shall complete one SSO report in the CIWQS Online SSO Database which includes the GPS coordinates for the location of the SSO appearance point closest to the failure point, blockage or location of the flow condition that caused the SSO, and provide descriptions of the locations of all other discharge points associated with the SSO event.

C. **SSO Reporting to CIWQS - Timeframes**

i. **Category 1 and Category 2 SSOs** – All SSOs that meet the above criteria for Category 1 or Category 2 SSOs shall be reported to the CIWQS Online SSO Database:

   a. Draft reports for Category 1 and Category 2 SSOs shall be submitted to the CIWQS Online SSO within three (3) business days of the City becoming aware of the SSO. Minimum information to be reported are as follows for both Category 1 & 2 SSOs:

      - **Draft Category 1 SSOs**: At a minimum, the following mandatory information shall be reported for a draft Category 1 SSO report:

        1. SSO Contact Information: Name and telephone number of City contact person who can answer specific questions about the SSO being reported.
        2. SSO Location Name.
        3. Location of the overflow event (SSO) by entering GPS coordinates. If a single overflow event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the SSO appearance point explanation field.
        4. Whether or not the SSO reached surface water, a drainage channel, or entered and was discharged from a drainage structure.
        5. Whether or not the SSO reached a municipal separate storm drain system.
        6. Whether or not the total SSO volume that reached a municipal separate storm drain system was fully recovered.
        7. Estimate of the SSO volume, inclusive of all discharge point(s).
        8. Estimate of the SSO volume that reached surface water, a drainage channel, or was not recovered from a storm drain.
        9. Estimate of the SSO volume recovered (if applicable).
        10. Number of SSO appearance point(s).
        11. Description and location of SSO appearance point(s). If a single sanitary sewer system failure results in multiple SSO appearance points, each appearance point must be described.
        12. SSO start date and time.
        13. Date and time the City was notified of, or self-discovered, the SSO.

14. Estimated operator arrival time.

15. For spills greater than or equal to 1,000 gallons, the date and time Cal OES was called.

16. For spills greater than or equal to 1,000 gallons, call the Cal OES control number.

- **Draft Category 2 SSOs**: At a minimum, the following mandatory information shall be reported for a draft Category 2 SSO report: All Items 1-14 for Draft Category 1 SSO report above.

b. A final Category 1 or Category 2 SSO report shall be certified through the CIWQS Online SSO Database within 15 calendar days of the end date of the SSO. Minimum information that shall be certified for Category 1 & 2 are as follows:

- **Certified Category 1 SSOs**: At a minimum, the following mandatory information shall be reported for a certified Category 1 SSO report, in addition to all fields required in the draft Category 1 SSO report:

1. Description of SSO destination(s).

2. SSO end date and time.

3. SSO causes (mainline blockage, roots, etc.).

4. SSO failure point (main, lateral, etc.).

5. Whether or not the spill was associated with a storm event.

6. Description of spill corrective action, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the overflow; and a schedule of major milestones for those steps.

7. Description of spill response activities.

8. Spill response completion date.

9. Whether or not there is an ongoing investigation, the reasons for the investigation and the expected date of completion.

10. Whether or not a beach closure occurred or may have occurred as a result of the SSO.

11. Whether or not health warnings were posted as a result of the SSO.

12. Name of beach(es) closed and/or impacted. If no beach was impacted, NA shall be selected.

13. Name of surface water(s) impacted.

14. If water quality samples were collected, identify parameters the water quality samples were analyzed for. If no samples were taken, NA shall be selected.

15. If water quality samples were taken, identify which regulatory agencies received sample results (if applicable). If no samples were taken, NA shall be selected.

16. Description of methodology(ies) and type of data relied upon for estimations of the SSO volume discharged and recovered.

17. SSO Certification: Upon SSO Certification, the CIWQS Online SSO Database will issue a final SSO identification (ID) number.

- **Certified Category 2 SSOs**: At a minimum, the following mandatory information shall be reported for a certified Category 2 SSO report: All Items 1-14 for Draft Category 1 SSO report above and items 1-9, and 17 for Certified Category 1 SSO report above.

ii. **Category 3 SSOs** – All SSOs that meet the above criteria for Category 3 SSOs shall be reported to the CIWQS Online SSO Database and certified within 30 calendar days after the end of the calendar month in which the SSO occurs (e.g., all Category 3 SSOs occurring in the month of February shall be entered into the database and certified by March 30).

- **Certified Category 3 SSOs**: At a minimum, the following mandatory information shall be reported for a certified Category 3 SSO report: Items 1-14 for Draft Category 1 SSO report above and items 1-6, and 17 for Certified Category 1 SSO report above.

iii. **"No Spill" Certification** – If there are no SSOs during the calendar month, the City shall either 1) certify, within 30 calendar days after the end of each calendar month, a "No Spill" certification statement in the CIWQS Online SSO Database certifying that there were no SSOs for the designated month, or 2) certify, quarterly within 30 calendar days after the end of each quarter, "No Spill" certification statements in the CIWQS Online SSO Database certifying that there were no SSOs for each month in the quarter being reported on. For quarterly reporting, the quarters are Q1 - January/February/March, Q2-April/May/June, Q3-July/August/September, and Q4-October/November/December.

- If there are no SSOs during a calendar month but the City reported a PLSD, the City shall still certify a "No Spill" certification statement for that month.
-

iv. **Amended SSO Reports** – The City may update or add additional information to a certified SSO report within 120 calendar days after the SSO end date by amending the report or by adding an attachment to the SSO report in the CIWQS Online SSO Database.

D. SSO Technical Report

i. The City shall submit an SSO Technical Report in the CIWQS SSO Online Database within 45 calendar days of the SSO end date for any SSO in which 50,000 gallons or greater are spilled to surface waters. This report, which does not preclude the Water Boards from requiring a more detailed analysis if requested, shall include at a minimum, the following:

ii. **Causes and Circumstances of the SSO**

- **a.** Complete and detailed explanation of how and when the SSO was discovered.
- **b.** Diagram showing the SSO failure point, appearance point(s), and final destination(s).
- **c.** Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.
- **d.** Detailed description of the cause(s) of the SSO.
- **e.** Copies of original field crew records used to document the SSO.
- **f.** Historical maintenance records for the failure location.

iii. **City's Response to SSO**

- **a.** Chronological narrative description of all actions taken by City to terminate the spill.
- **b.** Explanation of how the SSMP Overflow Emergency Response plan was implemented to respond and mitigate the SSO.
- **c.** Final corrective action(s) completed and/or planned to be included, including a schedule for actions not yet completed.

iv. **Water Quality Monitoring**

- **a.** Description of all water quality sampling activities conducted including analytical results and evaluation of the results.
- **b.** Detailed location map illustrating all water quality sampling points

E. Private Lateral Sewage Discharges (PLSD)

i. Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the City's sanitary

sewer system or from other private sanitary sewer system assets may be voluntarily reported to the CIWQS Online SSO Database.

a. The City may also voluntarily provide notification to Cal OES per section B above when a PLSD greater than or equal to 1,000 gallons has or may result in a discharge to surface water. For any PLSD greater than or equal to 1,000 gallons regardless of the spill destination, the City may also voluntarily file a spill report as required by Health & Safety Code section 5410 et. seq. and Water Code section 13271, or notify the responsible party that notification and reporting should be completed as specified above and required by State law.

b. If a PLSD is recorded in the CIWQS Online SSO Database, the City must identify the sewage discharge as occurring and caused by a private sanitary sewer system asset and should identify a responsible party (other than the City), if known. Certification of PLSD reports by City is not required.

F. CIWQS Online SSO Database Unavailability

i. In the event that the CIWQS Online SSO Database is not available, the City must fax or email all required information to the appropriate Regional Water Board office in accordance with the time schedules identified herein. In such event, the City must also enter all required information into the CIWQS Online SSO Database when the database becomes available.

G. Reporting SSO's to Other Regulatory Agencies

i. These reporting requirements do not preclude the City from reporting SSOs to other regulatory agencies pursuant to state law. In addition, these reporting requirements do not replace other Regional Water Board notification and reporting requirements for SSOs.

H. Collection System Questionnaire

i. The required Questionnaire (see subsection G of the SSS WDRs) provides the Water Boards with site-specific information related to the City's sanitary sewer system. The City shall complete and certify the Questionnaire at least every 12 months to facilitate program implementation, compliance assessment, and enforcement response.

I. SSMP Availability

i. The City shall provide the publicly available internet web site address to the CIWQS Online SSO Database where a downloadable copy of the City's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP is posted. If all of the SSMP documentation listed in this subsection is not publicly available on the Internet, the City shall comply with the following procedure:

a. Submit an electronic copy of the City's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP to the State Water Board, within 30 days of that approval and within 30 days of any subsequent SSMP re-certifications, to

the following mailing address:

State Water Resources Control Board
Division of Water Quality
Attn: SSO Program Manager
1001 I Street, 15th Floor, Sacramento, CA 95814

VIII. CERTIFICATION REQUIREMENTS

A. All information required to be reported into the CIWQS Online SSO Database shall be certified by a person designated as described in subsection J of the SSS WDRs. This designated person is also known as a Legally Responsible Official (LRO). A City may have more than one LRO.

B. Any designated person (i.e. an LRO) shall be registered with the State Water Board to certify reports in accordance with the CIWQS protocols for reporting.

C. Data Submitter (DS): Any City employee or contractor may enter draft data into the CIWQS Online SSO Database on behalf of the City if authorized by the LRO and registered with the State Water Board. However, only LROs may certify reports in CIWQS.

D. The City shall maintain continuous coverage by an LRO. Any change of a registered LRO or DS (e.g., retired staff), including deactivation or a change to the LRO's or DS's contact information, shall be submitted by the City to the State Water Board within 30 days of the change by calling (866) 792-4977 or e-mailing help@ciwqs.waterboards.ca.gov.

E. A registered designated person (i.e., an LRO) shall certify all required reports under penalty of perjury laws of the state as stated in the CIWQS Online SSO Database at the time of certification.

IX. WATER QUALITY MONITORING REQUIREMENTS

A. If the overflow is discharged to a surface water, the impact of the spill on water quality is assessed by visual inspection for abnormal conditions such as effects on aquatic life, abnormal color, odors, etc.

B. A Receiving Water Inspection/Sampling Log (Attachment 3) is used to record the findings of the inspection.

C. Photographs may be used to document the extent of the spill, including the discharge location, and any adverse effects to receiving water or surrounding areas.

D. For discharges to surface water, public health warning signs shall be posted to protect the public from exposure to water contaminated with sewage:

i. Signs will be posted in the affected area at appropriate intervals on both sides of the banks, if possible, of the receiving water body.

ii. Due to the occurrence of posted signs periodically being vandalized, stolen, wind-blown, etc., City staff will maintain a log and map of sign placement and removal. The signs will be checked on a regular basis by City staff and replaced or repositioned as necessary to make certain they are visible to the public throughout

the entire spill event.

E. To comply with subsection D.7(v) of the SSS WDRs, the City shall develop and implement an SSO Water Quality Monitoring Program to assess impacts from SSOs to surface waters in which 50,000 gallons or greater are spilled to surface waters. The SSO Water Quality Monitoring Program, shall, at a minimum:

i. Contain protocols for water quality monitoring.

ii. Personnel shall strictly adhere to City Department Standard Operating Procedures and Job Hazard Analyses for all water quality monitoring procedures.

F. Account for spill travel time in the surface water and scenarios where monitoring may not be possible (e.g. safety, access restrictions, etc.).

i. Surface water samples shall be collected at the discharge location as well as at appropriate sites upstream and downstream of the spill, if possible.

ii. If inclement weather, site access or other physical conditions present an unsafe or inaccessible sampling environment, sampling may be omitted of delayed. If omitted, the impact of the spill on receiving water shall be based on visual observations only.

G. Require water quality analyses for ammonia and bacterial indicators to be performed by an accredited or certified laboratory.

H. Require monitoring instruments and devices used to implement the SSO Water Quality Monitoring Program to be properly maintained and calibrated, including any records to document maintenance and calibration, as necessary, to ensure their continued accuracy.

i. Within 48 hours of the City becoming aware of the SSO, require water quality sampling for, at a minimum, the following constituents (samples will be analyzed for ammonia and e-coli using methods prescribed in 40 CFR Part 136):

a. Ammonia

b. Appropriate Bacterial indicator(s) per the applicable Basin Plan water quality objective or Regional Board direction which may include total and fecal coliform, enterococcus, and e-coli.

ii. Follow up samples are collected as soon as possible, typically 3-10 days after the overflow event, to determine whether the receiving water body at the discharge location remains contaminated with sewage. The decision for when to sample is site specific and is dependent on such items as tidal action and receiving water flow.

I. Records of water quality monitoring shall include:

i. Date, location, and time of sampling or measurements;

ii. Name(s) of individual(s) who performed the sampling or measurements;

iii. Date(s) analyses were performed;

iv. Name(s) of individual(s) who performed the analyses;

v. Analytical technique(s) or method(s) used;

vi. Monitoring instrumentation maintenance and calibration;

vii. Laboratory state certification; and

viii. Results of analyses.

X. PREVENTION AND TRAINING

A. **SSO Preventive Measures -** Investigation and Corrective Actions: Following containment and cleanup of an overflow, the causes of the discharge are evaluated to determine improvements to prevent future problems. Lines are cleaned and CCTV cameras are used to inspect the pipe. Necessary repairs are completed and maintenance schedules are adjusted as appropriate.

B. **Maintenance Programs** - Programs include regular cleaning of sewer lines, connections and pumps, and foaming to remove tree roots.

C. **Enforcement Program -** City code requires installation of grease interceptors at businesses and establishments where any grease or objectionable materials may be discharged into a public or private sewage main or disposal system. Enforcement orders are issued to businesses that do not adequately maintain and/or clean the interceptors.

D. **SSO Response Personnel Training** - All SSO response personnel shall receive annual training to ensure awareness with the procedures contained in the SSOERP. Periodic refresher sessions will be conducted whenever the SSOERP is updated or as necessary.

XI. RECORD KEEPING PROCEDURES

A. The following records shall be maintained by the City for a minimum of five (5) years and shall be made available for review by the Water Boards during an onsite inspection or through an information request:

i. General Records: The City shall maintain records to document compliance with all provisions of the SSS WDRs and this MRP for each sanitary sewer system owned including any required records generated by a City's sanitary sewer system contractor(s).

ii. SSO Records: The City shall maintain records for each SSO event, including but not limited to:

a. Complaint records documenting how the City responded to all notifications of possible or actual SSOs, both during and after business hours, including complaints that do not result in SSOs. Each complaint record shall, at a minimum, include the

following information:

1. Date, time, and method of notification.

2. Date and time the complainant or informant first noticed the SSO.

3. Narrative description of the complaint, including any information the caller can provide regarding whether or not the complainant or informant reporting the potential SSO knows if the SSO has reached surface waters, drainage channels or storm drains.

4. Follow-up return contact information for complainant or informant for each complaint received, if not reported anonymously.

5. Final resolution of the complaint.

b. Records documenting steps and/or remedial actions undertaken by the City, using all available information, to comply with section D.7 of the SSS WDRs.

c. Records documenting how all estimate(s) of volume(s) discharged and, if applicable, volume(s) recovered were calculated.

d. Records documenting all changes made to the SSMP since its last certification indicating when a subsection(s) of the SSMP was changed and/or updated and who authorized the change or update. These records shall be attached to the SSMP.

e. Electronic monitoring records relied upon for documenting SSO events and/or estimating the SSO volume discharged, including, but not limited to records from:

1. Supervisory Control and Data Acquisition (SCADA) systems

2. Alarm system(s)

3. Flow monitoring device(s) or other instrument(s) used to estimate wastewater levels, flow rates and/or volumes.

ATTACHMENT A

See Appendix M

ATTACHMENT B

See Appendix N

ATTACHMENT C

See Appendix O

ATTACHMENT D

See Appendix P

ATTACHMENT E

See Appendix C

ATTACHMENT F

See Appendix Q

ATTACHMENT G

See Appendix R

Appendix N – SSO Water Quality Monitoring Plan

ONTARIO MUNICIPAL UTILITIES COMPANY

Sanitary Sewer Overflow (SSO) Water Quality Monitoring Plan

February 2021

This guidance document is written to aid in implementation of monitoring required under State Water Resources Control Board (SWRCB) Orders No. 2006-0003-DWQ and 2013-0058-EXEC. In the event of an SSO where **50,000 gallons or more** are spilled or discharged into a receiving body of water, the Ontario Municipal Utilities Company (OMUC) Utilities staff must collect samples upstream and downstream of the point at which the SSO enters a receiving body of water (e.g., Day Creek Channel, Cucamonga Creek Channel, or the Santa Ana River) within 48 hours of becoming aware of the SSO. Analytes, containers/preservatives, and holding times are outlined below.

Container/ Preservative	Constituents	Method	Holding Time
(1) plastic pint with H_2SO_4, on ice	Ammonia	SM 4500-NH_3H	28 days
(1) 120 mL IDEXX sterile plastic bottle with $Na_2S_2O_3$, on ice	Total coliform, fecal coliform, & E. coli	SM 9221-B,C,F	8 hours
(1) 120 mL IDEXX sterile plastic bottle with $Na_2S_2O_3$, on ice	Enterococcus and Fecal Streptococcus	SM 9230B	8 hours

A cooler marked "Wastewater Samples" containing containers, chain-of-custody (COC) forms and labels is kept in the lab at OMSC. The chain of custody form must be completed by Utilities staff when samples are collected, and it must accompany samples from time of collection to time of receipt by the contract laboratory. Each time samples are transferred to another individual's possession, the COC must be signed by the person relinquishing samples and the person taking possession.

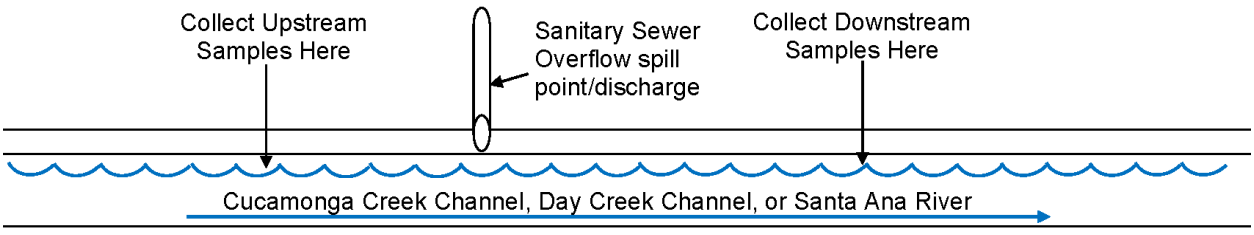
Pickup or delivery of samples to the contract laboratory must be coordinated immediately to ensure the samples are processed within the 8-hour holding time limit. Laboratory information is provided below.

1. E.S. Babcock & Sons Laboratories, 6100 Quail Valley Court, Riverside, CA, (951) 653-3351.
   Allison Mackenzie, CEO, Cell Phone: (909) 238-2507, Home Phone: (951) 789-9052.
   Carol Kase, Microbiology Manager, Cell Phone: (951) 675-2826.
   Omar Sosa, Field Operations Manager, Cell Phone: (909) 224-0498.

   If the contract laboratory listed above is unable to accept or analyze samples: BSK Associates, San Bernardino Analytical, 350 East Commercial Road, Suite #110, San Bernardino, CA 92408, (909) 796-2059.
   Cyndi Moore, Analytical Sales Director, Cell Phone: (951) 295-6123.
   Karen Tracy, Project Manager, Cell Phone: (951) 505-3423.
   Mark Tracy, Field Services Group Manager, Cell Phone: (909) 454-5745.

2. In the event of a local disaster: Eurofins Calscience, 7440 Lincoln Way, Garden Grove, CA, (714) 895-5494.

3. If in the event of a major disaster, consult the Water Quality Emergency Response Unit and OMUC's Emergency Response Plan.



Appendix O – Receiving Water Inspection / Sampling Log

Attachment 3

Receiving Water Inspection / Sampling Log

Date _____ Time _____ Inspector _____

Spill Date _____

Spill Location _____

Receiving Water Location _____

Sewage Color	None ☐	Light ☐	Moderate ☐	Heavy ☐
Sewage Foam	None ☐	Light ☐	Moderate ☐	Heavy ☐
Sewage Solids	None ☐	Light ☐	Moderate ☐	Heavy ☐
Sewage Odor	None ☐	Mild ☐	Moderate ☐	Severe ☐
Aquatic Life	No adverse impact observed ☐			
	Impacted ☐	Describe _____		
Photographs	None ☐	Upstream ☐	Discharge ☐	Downstream ☐
Warning Signs	None ☐	Upstream ☐	Discharge ☐	Downstream ☐
Samples	None ☐			

Upstream ☐ Locations _____

Site and flow conditions _____

_____

Discharge ☐ Locations _____

Site and flow conditions _____

_____

Downstream ☐ Locations _____

Site and flow conditions _____

_____

Appendix P – Ontario Employee Contact List

ONTARIO MUNICIPAL UTILITIES COMPANY

Utilities

Administrative Services

Last Revision: February 2021

	CITY	CITY PHONE #	PHONE #1	PHONE #2
Utilities General Manager				
Burton, Scott	La Verne	(909) 395-2682	(909) 721-7172	
Assistant Utilities General Manager - Utilities Administration & Customer Service				
Michael Sigsbee	Riverside	(909) 395-2653	(951) 351-8786	(951) 675-5168
Administrative Officer				
Dennice Raygoza	Ontario	(909) 395-2616	(909) 996-7473	(909) 904-9590
Senior Management Analyst				
Ria Pavia	Fontana	(909) 395-2676	(951) 823-3703	(626) 893-5605
Management Analyst				
Vanessa Villenas	Fontana	(909) 395-2679	(626) 709-7490	
Administrative Assistants				
Vanessa Campos	Jurupa Valley	(909) 395-2412	(915) 345-8381	
Danielle Guevara	Colton	(909) 395-2618	(951) 538-4556	
Vanny Khu	Ontario	(909) 395-2785	(626) 533-6407	
Office Specialists				
Veronica Aguilar	Riverside	(909) 395-2662	(951) 685-1341	(909) 790-6167
Sergio Coreas	Pomona	(909) 395-2687	(909) 643-7166	
Georgia Hillard	San Bernardino	(909) 395-2654	(909) 520-1566	
Judy Witrago	Ontario	(909) 395-2773	(310) 874-0599	(909) 806-0835
Administrative Intern				
Ryan Wishner	Fontana	(909) 395-2603	(909) 641-7986	

ONTARIO MUNICIPAL UTILITIES COMPANY

Utilities

Engineering

Last Revision: February 2021

NAME	CITY	CITY PHONE #	PHONE #1	PHONE #2
Assistant Utilities General Manager - Utilities Engineering & Operations				
Albert Gastelum	Riverside	(909) 395-2770	(951) 232-7624	(951) 789-8481
Utilities Engineering Division Manager				
Dennis Mejia	Chino Hills	(909) 395-2609	(909) 393-1062	(909) 217-9916
Principal Engineers				
Ahmed Aly	Rancho Cucamonga	(909) 395-2657	(510) 427-2230	
Omar Gonzalez	Riverside	(909) 395-2578	(951) 227-2563	
Senior Associate Civil Engineer				
Christy Stevens	Eastvale	(909) 395-2641	(562) 587-3564	(714) 425-7179
Senior Associate Engineer				
Thom Lambertson	Glendora	(909) 395-2774	(626) 664-4387	(626) 664-4373
Associate Civil Engineer				
Peter Tran	Yorba Linda	(909) 395-2677	(714) 983-7527	
Associate Engineers				
Jeff Krizek	Riverside	(909) 395-2697	(909) 844-4690	
Thomas Palmieri	Covina	(909) 395-2688	(626) 991-6235	
Assistant Engineers				
Cynthia Heredia-Torres	Chino	(909) 395-2647	(909) 465-0373	(909) 680-9107
Ryan Rebick	Rancho Cucamonga	(909) 395-2781	(909) 532-0242	
Heather Young	Rancho Cucamonga	(909) 395-2646	(626) 607-8882	(909) 239-0327
Engineering Assistant/GIS				
Ivan Sanchez	Upland	(909) 395-2698	(909) 659-8293	

ONTARIO MUNICIPAL UTILITIES COMPANY

Utilities

Environmental Programs

Last Revision: February 2021

NAME	CITY	CITY PHONE #	PHONE #1	PHONE #2
Assistant Utilities General Manager - Utilities Engineering & Operations				
Albert Gastelum	Riverside	(909) 395-2770	(951) 232-7624	(951) 789-8481
Michael Birmelin	Temecula	(909) 395-2661	(858) 232-2591	(909) 638-8073
Water/Wastewater Technicians				
Kimberly Lopez	Montclair	(909) 395-2650	(909) 731-1460	
Ali Hameed	Corona	(909) 395-2783	(714) 588-9782	
Maison Paps	Murrieta	(909) 395-2664	(951) 514-1899	
Samantha Wu - pending	Diamond Bar	(909) 395-2772	(909) 706-7747	
Environmental Technician				
Michael Milhiser	Rancho Cucamonga	(909) 395-2156	(909) 215-9125	

ONTARIO MUNICIPAL UTILITIES COMPANY

Utilities

Operations

Last Revision: February 2021

NAME	CITY	CITY PHONE #	PHONE #1	PHONE #2
Assistant Utilities General Manager - Utilities Engineering & Operations				
Albert Gastelum	Riverside	(909) 395-2770	(951) 232-7624	(951) 789-8481
Utilities Operations Division Manager				
Andy Marquez	Upland	(909) 395-2683	(909) 982-2539	(909) 721-8931
Utilities Supervisors				
Jesus "Robert" Castellanos	Highland	(909) 395-2621	(909) 721-6636	
Ernesto "Alonzo" Davalos	Lake Elsinore	(909) 395-2656	(909) 270-1432	
Daniel Fernandez	San Bernardino	(909) 395-2778	(909) 915-5683	
Sergio Macias-Martinez	Ontario	(909) 395-2693	(626) 672-8402	
Robert Torres	Victorville	(909) 395-2777	(909) 708-3693	
Senior Utilities Technicians				
Reuben Reyes	Fontana		(909) 730-1627	
Martin Gomez	Anaheim		(714) 200-5060	
Mike Schaffran	Rancho Cucamonga		(909) 917-4757	
Antonio Rodriguez	Ontario		(909) 781-0555	
David Meza	La Verne		(626) 602-5642	
Thomas Dobis	Corona		(714) 234-7689	
Gregory Stube	Covina		(626) 271-5851	
Levi Marconi	Corona		(714) 273-4522	
Utilities Technicians				
Mike Gonzalez	Fontana		(951) 907-2996	
Marcos Ortiz	Chino		(909) 419-0707	
Ernie Diaz	Ontario		(909) 260-7598	
Victor Romero	Ontario		(626) 673-0852	
Antonio Laguna	Riverside		(909) 921-1034	
Daniel Santizo	Fontana		(909) 461-5662	
Erick Caldera	Brea		(714) 476-9092	
Joseph Soria	Redlands		(909) 831-7181	
Fidel Ascencio	Riverside		(909) 973-4979	
Ryan Dean	Mira Loma		(909) 6415248	
William Vess	Bloomington		(626) 862-6446	
Utilities Service Representatives				
Moises Castro	Corona		(951) 225-2826	
David Suarez	Fontana		(909) 225-9903	

Utilities Service Representatives...continued				
Gabrial Lara	West Covina		(626) 374-2307	
Manny Gonzalez	Riverside		(909) 210-2235	
Victor Tornero	Perris		(951) 442-5559	
Utilities Maintenance Workers				
Albert Dias	Riverside		(909) 268-7423	
Ricardo Marroquin	Montebello		(323) 494-3222	
Abraham Ocampo	Garden Grove		(657) 282-9341	
Ricky Ayala	Fontana		(909) 247-5042	
Christopher Tupuola	Corona		(909) 904-4332	
Christian Garcia	Rialto		(909) 341-3464	
Jeremiah Avila	Riverside		(951) 250-6147	
Justin Garcia	Chino		(909) 643-7538	

ONTARIO MUNICIPAL UTILITIES COMPANY

Utilities

Water Production

Last Revision: February 2021

NAME	CITY	CITY PHONE #	PHONE #1	PHONE #2
Assistant Utilities General Manager - Utilities Engineering & Operations				
Albert Gastelum	Riverside	(909) 395-2770	(951) 232-7624	(951) 789-8481
Water Resources & Regulatory Affiars Director				
Courtney Jones	Pomona	(909) 395-2640	(619) 985-7762	
Water Production Manager				
Chris Bonadurer	Chino	(909) 395-2696	(909) 376-6151	
Water Production Operator				
Darin Bowers	Fontana	(909) 395-2652	(909) 896-5595	
Robert Cruz	Chino	(909) 395-2652	(909) 728-2510	
Kenny Pro	Fontana	(909) 395-2652	(909) 772-4317	
Jesus Sanchez	Upland	(909) 395-2652	(909) 949-7201	(909) 921-7085
Kevin Wise	Upland	(909) 395-2652	(909) 941-0512	(909)-815-6288

ONTARIO MUNICIPAL UTILITIES COMPANY

Utilities

Water Quality Programs

Last Revision: *February 2021*

NAME	CITY	CITY PHONE #	PHONE #1	PHONE #2
Assistant Utilities General Manager - Utilities Engineering & Operations				
Albert Gastelum	Riverside	(909) 395-2770	(951) 232-7624	(951) 789-8481
Water Resources & Regulatory Affiars Director				
Courtney Jones		(909) 395-2640	(619) 985-7762	
Water Quality Programs Manager				
Joline Neal	Rialto	(909) 395-2652	(909) 638-7443	(951) 907-3793
Cross-Connection Control Specialists				
William "Shane" Bradford	Ontario	(909) 395-2669	(909) 460-1361	(909) 772-4311
Roberto Ochoa	Fontana	(909) 395-2607	(909) 518-7279	
Cesar Guevara	Santa Ana	(909) 395-2681	(714) 721-0567	
Alexandria Macias	Corona	(909) 395-2630	(951) 227-8596	(951) 279-8729
Water/Wastewater Technician				
Ntwali Gaju	Riverside	(909) 395-2704	(909) 519-3013	(951) 374-9627

ONTARIO MUNICIPAL UTILITIES COMPANY

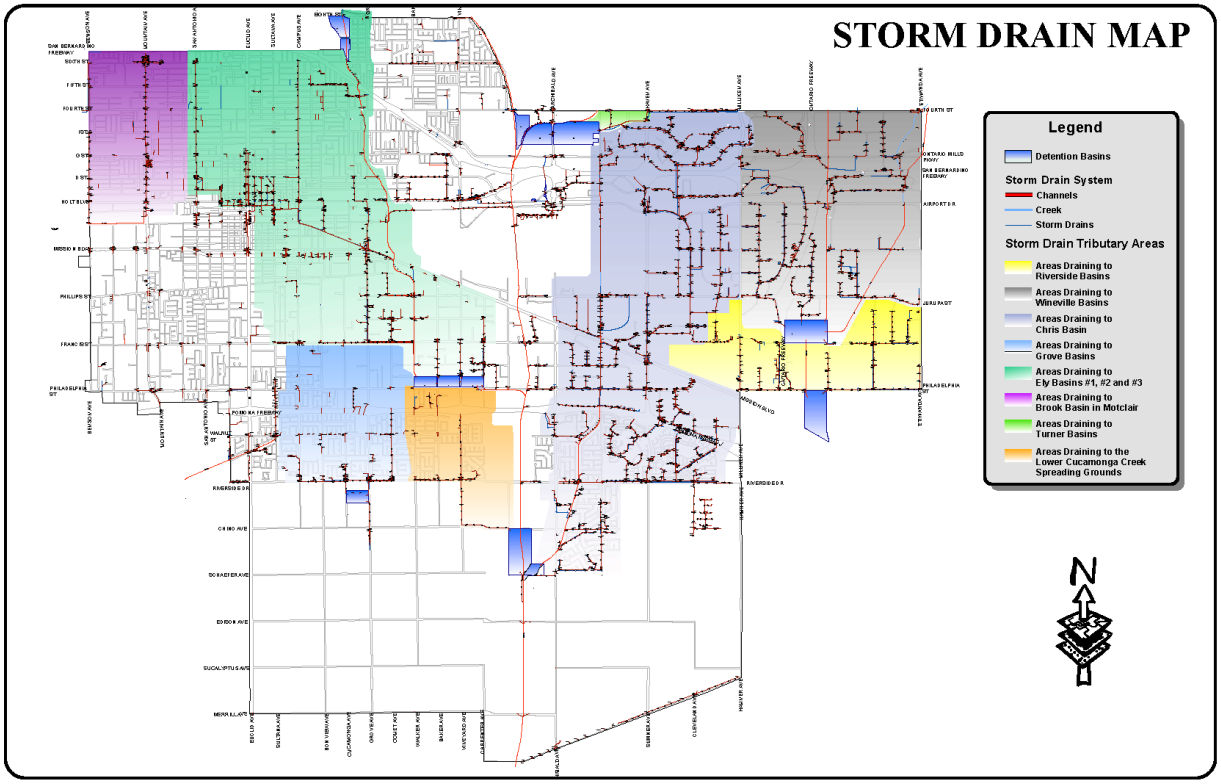
Utilities

Water Resources

Last Revision: February 2021

NAME	CITY	CITY PHONE #	PHONE #1	PHONE #2
Assistant Utilities General Manager - Utilities Engineering & Operations				
Albert Gastelum	Riverside	(909) 395-2770	(951) 232-7624	(951) 789-8481
Water Resources & Regulatory Affiars Director				
Courtney Jones	Pomona	(909) 395-2640	(619) 985-7762	
Water Resources Manager				
Vacant				
Senior Associate Civil Engineer				
Chris Quach	Riverside	(909) 395-2695	(951) 214-3128	
Water Resources Coordinator				
Amy Bonczewski	Riverside	(909) 395-2614	(707) 484-9887	(951) 684-3415

Appendix Q – Flood Control Facility Map


STORM DRAIN MAP
Legend
Detention Basins
Storm Drain System
Channels
Creek
Storm Drains
Storm Drain Tributary Areas
Areas Draining to Riverside Basins
Areas Draining to Wineville Basins
Areas Draining to Chris Basin
Areas Draining to Grove Basins
Areas Draining to Ely Basins #1, #2 and #3
Areas Draining to Brook Basin in Motclair
Areas Draining to Turner Basins
Areas Draining to the Lower Cucamonga Creek Spreading Grounds
N

Appendix R – SSO Volume Estimation Worksheet

SSO Volume Estimation Worksheet

There are a variety of ways for estimating the volume of a sewer system overflow. This worksheet will examine four approaches that may be used for estimating that volume. There are other methods besides these that may be used. The person making the estimate shall use his or her discretion on the most appropriate method for estimating the volume of the spill. Every effort shall be made to produce the most accurate volume estimate.

First Method-Eyeball Estimate

The first method is known as the eyeball estimate, and it is useful for very small SSOs, perhaps less than a hundred (100) gallons in size. In this method, you visualize the volume of a known container size such as a five (5) gallon or a fifty-five (55) gallon size container, and what a spill might look like from one of these containers. This imaginary volume is then compared with the spill volume to make an estimate.

Second Method-Measured Volume

This method is appropriate for use during dry weather, when there is no precipitation, and is best applied to small SSOs. To utilize this method, you will need to be able to determine the shape, dimensions, and depth of the spilled sewage. The shape, dimensions, and depth are used to calculate the volume of the spilled sewerage. To perform this calculation, you should begin by completing the following steps:

1: Sketch the shape of the contained sewage.

2: Measure or pace off the dimensions.

3: Measure the depth in several locations.

4: Convert the dimensions, including depth to feet.

5: Calculate the area using the following formulas:

Rectangle Area = length x width

Circle Area = diameter x diameter x 0.785

Triangle Area = base x height x 0.5

6: Multiply the area times the depth.

7: Multiply the volume by 7.48052 to convert it to gallons

Third Method-Duration and Flow Rate

When it is impossible to determine the volume of an SSO by measuring its area and depth another method must be employed. In the duration and flow rate method, estimates of the volume can be made by determining the flow rate in conjunction with the duration of the overflow. You will need to know the methods which are commonly utilized in estimating duration and flow rate. These methods are detailed below.

The duration time of the spill is the period that has elapsed from the start of the overflow until its end. The start time is not always easy to determine. There are some approaches to how this can be done.

For very large overflows, changes in flow on a downstream flow meter can be utilized to identify the start time of an overflow, since it is expected that the flow downstream should decrease substantially as the result of a spill or break in a line that is located upstream from the meter. This daily flow "cut-off" or flattening as a result of the loss of flow may be identified through examining hourly flow data.

Conditions at the site of an SSO overflow are dynamic, changing with time. At first there will be limited deposits of grease, solids, and toilet paper. After some time, perhaps from a few days to a week, the grease forms a light-colored residue. After more time, perhaps from a few weeks to a month the grease turns dark. Additionally, the quantity of toilet paper, solids, and other materials can expect to increase in amount. These changes can be utilized in order to estimate the start time of the overflow in the absence of other information. In some cases, it may be impossible to estimate the start time.

The end time of the overflow is usually much easier to establish. Field crews arriving on-site observe the "blow down" when the blockage is removed. This change is also observed in downstream flow meters.

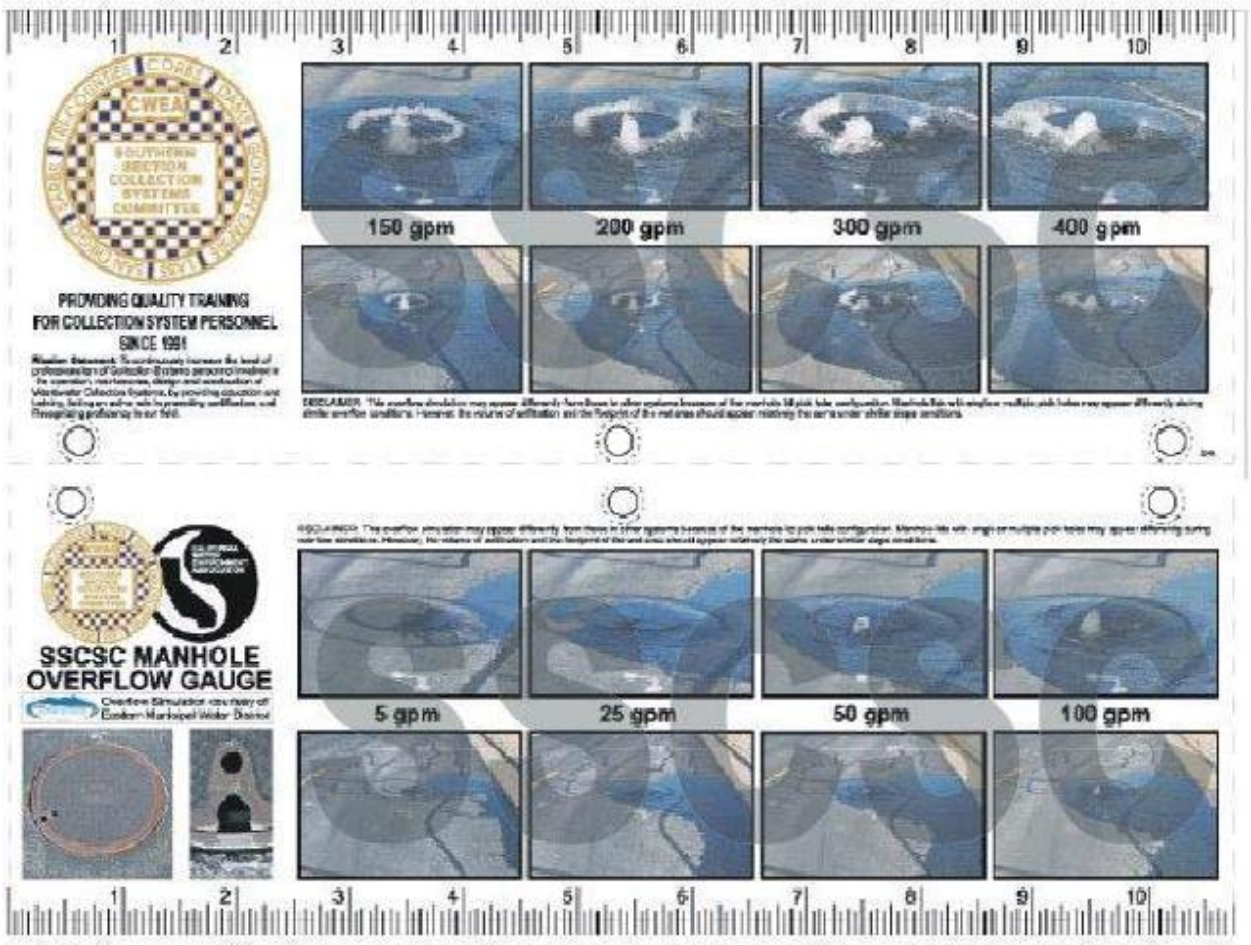
The flow rate is the average flow rate that is present in the sewer system during the time the SSO stopped. There are multiple ways of determining flow, three of which will be mentioned below.

1. A Manhole Flow Rate Reference Sheet: This sheet, presented on the following page, shows the sewage flowing from a manhole cover for a variety of flow rates. The observations of the field crew are used to select the approximate flow rate from the chart.

2. A Flow meter: Changes in flows in the downstream flow meters are used to estimate the flow rate during the spill (better for large SSOs).

3. Estimates based on up-stream connections: Once the location of the SSO is known, the number of upstream connections can be determined from system maps. Multiplying the number of connections by 200 to 250 gallons per day per connection, or 8 to 10 gallons per hour per connection, or other flow rates that are consistent with the City's data for its connections.

Once the duration and flow rate have been determined, the volume of the SSO is the product of the duration in hours or days times the flow rate in gallons per hour or gallons per day.


CWEA
SOUTHERN SECTION COLLECTION SYSTEMS COMMITTEE
PROVIDING QUALITY TRAINING FOR COLLECTION SYSTEM PERSONNEL SINCE 1991
150 gpm
200 gpm
300 gpm
400 gpm
SSCSC MANHOLE OVERFLOW GAUGE
5 gpm
25 gpm
50 gpm
100 gpm

City of Ontario
Ontario Municipal Utilities Company
Sewer System Management Plan

Date	SSMP Element/Section	Description of Change/Revision Made	Change Authorized By
2/8/2021	Goal [WDR D.13.(i)]	Revised	Albert Gastelum
2/8/2021	Organization [WDR D.13.(ii)(b)]	Updated	Albert Gastelum
2/8/2021	Organization [WDR D.13.(ii)(c)]	Updated	Albert Gastelum
2/8/2021	Organization and Maintenance Program [WDR D.13.(iv)(a)]	Updated sewer map.	Albert Gastelum
2/8/2021	[WDR D.13.(iv)]	Revised some wording and updated the section accordingly.	Albert Gastelum
2/8/2021	[WDR D.13.(vii)]	Updated to add changes to the FOG program.	Albert Gastelum
2/8/2021	[WDR D.13.(viii)]	Revised some wording and updated the section accordingly.	Albert Gastelum
2/8/2021	Appendix C - Mutual Aid Telephone Roster	Updated as required.	Albert Gastelum
2/8/2021	Appendix J - Sewer System Map	Updated as required.	Albert Gastelum
2/8/2021	Appendix N – SSO Water Quality Monitoring Plan	Updated as required.	Albert Gastelum
2/8/2021	Appendix P – Ontario Employee Contact List	Updated as required.	Albert Gastelum
2/8/2021	Appendix Q – Flood Control Facility Map	Updated as required.	Albert Gastelum
2/8/2021	Appendix R – SSO Volume Estimation Worksheet	Updated as required.	Albert Gastelum

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Prepared By: Albert G Gastelum Staff Member Presenting: Scott Burton, Utilities General Manager Reviewed By: Dennice Raygoza, Albert G Gastelum, Michael Sigsbee Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 10

SUBJECT: A MAINTENANCE SERVICES AGREEMENT FOR RESIN REPLACEMENT, REPAIRS, AND MAINTENANCE AT WELL 41 ION EXCHANGE WELLHEAD TREATMENT FACILITY

RECOMMENDATION: That the City Council authorize the City Manager to execute a Maintenance Services Agreement (on file in the Records Management Department) with Calgon Carbon Corporation, of Moon Township, Pennsylvania, in the amount of $600,000 for Resin Replacement, Repairs and Maintenance at Well 41 Ion Exchange Wellhead Treatment Facility.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The Fiscal Year 2020-21 Adopted Operating Budget includes appropriations from the Water Operating Fund in the amount of $600,000 for Resin Replacement, Repairs, and Maintenance at Well 41 Ion Exchange Wellhead Treatment Facility (Facility). There is no impact to the General Fund.

BACKGROUND & ANALYSIS: The Facility treats approximately 3.5 million gallons of groundwater that is extracted each day from Well 41. The water is treated in order to meet all drinking water standards prior to being introduced into the City's distribution system. The treatment process used at the Facility utilizes a specialty structured resin within steel vessels to remove contaminants. As part of the operation and maintenance (O&M) of the Facility, resin is required to be replaced based on permitted regulatory standards.

The City must ensure the Facility operates according to the O&M manual and Operational Plan as approved by the State Water Resources Control Board's Division of Drinking Water.

On January 26, 2021, the City solicited proposals for Resin Replacement, Repairs, and Maintenance at Well 41 Ion Exchange Wellhead Treatment Facility. The following two vendors responded:

Company	Location	Amount	Additional Repairs & Maintenance
Calgon Carbon Corporation ("Calgon")	**Moon Township, PA**	**$554,102.24**	**$225 / hour**
Evoqua Water Technologies LLC	La Mirada, CA	$717,875.00	$185 / hour

Both proposals received were reviewed and evaluated for factors most advantageous to the City including; fee proposal, qualifications, experience, licenses to perform repairs and maintenance, and media (resin) specifications consistent with the Facility's design. Of the two proposals, Calgon demonstrated the best qualifications, experience, media consistent with the Facility's engineered design, and cost to complete the necessary maintenance services. Staff recommends that the maintenance agreement be awarded to Calgon Carbon Corp.

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **PUBLIC HEARINGS** ** **
Department: Investments & Revenue Resources Prepared By: Jason M Jacobsen Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Reviewed By: Jason M Jacobsen, Armen Harkalyan Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 11

SUBJECT: A PUBLIC HEARING TO CONSIDER A RESOLUTION REGARDING THE FORMATION OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES); AND INTRODUCTION OF AN ORDINANCE LEVYING SPECIAL TAXES

RECOMMENDATION: That the City Council consider and:

A. Adopt a resolution of formation of Community Facilities District No. 59 (Gateway Services), and authorizing the levy of special taxes within the community facilities district;
B. Adopt a resolution calling a special election for City of Ontario Community Facilities District No. 59 (Gateway Services);
C. Adopt a resolution declaring the results of the special election and directing the recording of a Notice of Special Tax Lien; and
D. Introduce and waive further reading of an ordinance levying special taxes within City of Ontario Community Facilities District No. 59 (Gateway Services).

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: In accordance with the City Council's long-standing direction that development of the Ontario Ranch generate sufficient revenues to fund required City services without reliance on the financial resources of the existing City, the use of Mello-Roos financing in connection with the Community Facilities District No. 59 (Gateway Services) development is projected, at build-out, to generate approximately $387,659 per year from residential units, and $53,091 per year from commercial developments to fund City services required for the district. The use of Mello-Roos financing for City services is critical in achieving the City Council's goal to "Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch". The use of Mello-Roos financing for the Gateway Services development will not generate funds for facilities, and bonds will not be issued as part of this formation.

BACKGROUND & ANALYSIS: The Mello-Roos Community Facilities Act of 1982 provides local

governments, with the consent from a majority of the property owners, the authority to establish community facilities districts for the purpose of levying special taxes to finance various kinds of public infrastructure facilities and government services. Government services that may be included in a community facilities district include police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads, open space and flood and storm drain protection services, and maintenance and operation of any real property or tangible property with an estimated useful life of five or more years that is owned by the governmental entity.

On February 16, 2021, the City Council approved Resolution No. 2021-018, a Resolution of Intention to establish City of Ontario Community Facilities District No. 59 (Gateway Services) and to authorize the levy of special taxes within the district. The Gateway Services project addresses the development of approximately 54.6 acres located north of Edison Avenue, south Ontario Ranch Road, west of Hamner Avenue, and east of Cleveland Avenue.

The community facilities district is being formed pursuant to the provisions of the landowner's Development Agreement, and the First Amended and Restated Construction Agreement between the City and NMC Builders. Included, as part of the Resolution of Intention was the proposed Rate and Method of Apportionment of Special Tax for City of Ontario Community Facilities District No. 59 (Gateway Services). The terms of the Rate and Method of Apportionment of Special Tax are consistent with the City Councils adopted Mello-Roos local goals and policies, and City staff have discussed the proposed Rate and Method of Apportionment of Special Tax with the landowner. The Resolution of Intention set the public hearing on the establishment of the community facilities district for April 6, 2021. In accordance with requirements of the resolution, the City Clerk has published a notice of the time and place of this hearing pursuant to Section 53322 of the California Government Code at least seven days before the hearing.

Attached are three resolutions and an ordinance. The first resolution establishes the community facilities district, with the rate and method of apportionment of special tax (see attached Exhibit B), and authorizes the levy of special tax within the district. The second resolution calls for a special landowner election to be held on April 6, 2021. The third resolution declares the results of the election and includes a statement from the City Clerk as to the canvass of ballots, and directs the recording of the Notice of Special Tax Lien. Last, the attached ordinance authorizes the levying of special taxes within the district. As noted, the issuance of bonds is not being contemplated for this project; hence, there is no resolution to issue bonds as part of this formation.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, OF FORMATION OF THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE COMMUNITY FACILITIES DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE COMMUNITY FACILITIES DISTRICT.

WHEREAS, on February 16, 2021, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District Proposed to be Named City of Ontario Community Facilities District No. 59 (Gateway Services) and to Authorize the Levy of Special Taxes" (the "Resolution of Intention"), stating its intention to establish a community facilities district (the "Community Facilities District") proposed to be named City of Ontario Community Facilities District No. 59 (Gateway Services), to authorize the levy of special taxes within the Community Facilities District to finance certain services and setting the date for a public hearing to be held on the establishment of the Community Facilities District; and

WHEREAS, pursuant to the Resolution of Intention, notice of said public hearing was published in the *Inland Valley Daily Bulletin*, a newspaper of general circulation published in the area of the Community Facilities District, in accordance with the Act; and

WHEREAS, on this date, the City Council opened, conducted and closed said public hearing; and

WHEREAS, pursuant to the Resolution of Intention, each officer of the City who is or will be responsible for providing one or more of the proposed types of services was directed to study, or cause to be studied, the proposed Community Facilities District and, at or before said public hearing, file a report with the City Council containing a brief description of the services by type that will in his or her opinion be required to adequately meet the needs of the Community Facilities District, and his or her estimate of the cost of providing such services, and such officers were also directed to estimate the fair and reasonable cost of the incidental expenses proposed to be paid; and

WHEREAS, said report was so filed with the City Council and made a part of the record of said public hearing; and

WHEREAS, at the hearing, the testimony of all persons for or against the establishment of the Community Facilities District, the extent of the Community Facilities District and the furnishing of the specified types of services was heard; and

WHEREAS, written protests against the establishment of the Community Facilities District, the furnishing of any specified type or types of services within the Community Facilities District or the levying of any specified special tax were not made or filed at or before said hearing by 50% or more of the registered voters, or six registered voters,

whichever is more, residing within the territory proposed to be included in the Community Facilities District, or the owners of one-half or more of the area of land in the territory proposed to be included in the Community Facilities District and not exempt from the special tax; and

WHEREAS, there has been filed with the City Clerk of the City a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of February 25, 2021, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the proposed Community Facilities District for each of the 90 days preceding the close of said public hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario as follows:

SECTION 1. The foregoing recitals are true and correct.

SECTION 2. The Community Facilities District is hereby established pursuant to the Act.

SECTION 3. The Community Facilities District is hereby named "City of Ontario Community Facilities District No. 59 (Gateway Services)."

SECTION 4. The services (the "Services") proposed to be financed by the Community Facilities District pursuant to the Act are described under the caption "Services" on Exhibit A hereto. The incidental expenses proposed to be incurred are described under the caption "Incidental Expenses" on Exhibit A hereto. No facilities are proposed to be financed by the Community Facilities District.

SECTION 5. The proposed special tax to be levied within the Community Facilities District has not been precluded by majority protest pursuant to Section 53324 of the Act.

SECTION 6. Except where funds are otherwise available, a special tax sufficient to pay for all Services, secured by recordation of a continuing lien against all nonexempt real property in the Community Facilities District, will be annually levied within the Community Facilities District. The rate and method of apportionment of the special tax (the "Rate and Method"), in sufficient detail to allow each landowner within the proposed Community Facilities District to estimate the maximum amount that he or she will have to pay, is described in Exhibit B attached hereto, which is by this reference incorporated herein. The obligation to pay the special tax may not be prepaid and permanently satisfied. The special tax will be collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as the City Council shall determine, including direct billing of the affected property owners.

The special tax may only finance the Services to the extent that they are in addition to those provided in the territory of the Community Facilities District before the Community Facilities District is created. The Services may not supplant services already available within that territory when the Community Facilities District is created.

SECTION 7. The name, address and telephone number of the office that will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and that will be responsible for estimating further special tax levies pursuant to Section 53340.2 of the Act are as follows: Management Analyst, Financial Services, City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2341.

SECTION 8. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the Community Facilities District and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City Council ceases.

SECTION 9. The boundary map of the Community Facilities District has been recorded in San Bernardino County in Book 89 at Page 59 of Maps of Assessments and Community Facilities Districts in the San Bernardino County Recorder's Office (Document No. 2021-0086932).

SECTION 10. The annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the Community Facilities District is hereby established at $26,000,000.

SECTION 11. Pursuant to the provisions of the Act, the levy of the special tax and a proposition to establish the appropriations limit specified above shall be subject to the approval of the qualified electors of the Community Facilities District at a special election. The City Council hereby finds and determines that that no persons were registered to vote within the territory of the proposed Community Facilities District as of February 25, 2021, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearing held by the City Council on the establishment of the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax. The voting procedure shall be by mailed or hand-delivered ballot.

SECTION 12. The City Council hereby finds and determines that all proceedings up to and including the adoption of this Resolution were valid and in conformity with the requirements of the Act. In accordance with Section 53325.1 of the Act, such finding shall be final and conclusive.

SECTION 13. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 14. This Resolution shall take effect immediately upon its adoption.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

SERVICES AND INCIDENTAL EXPENSES

Services

The types of services to be financed by the Community Facilities District are police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads and open space, flood and storm protection services and maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

Incidental Expenses

The incidental expenses proposed to be incurred include the costs associated with the creation of the Community Facilities District, determination of the amount of taxes, collection of taxes, payment of taxes, or costs otherwise incurred in order to carry out the authorized purposes of the Community Facilities District.

EXHIBIT B

PROPOSED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax shall be levied on all Assessor's Parcels in the City of Ontario Community Facilities District No. 59 (Gateway Services) ("CFD No. 59") and collected each Fiscal Year commencing in Fiscal Year 2021-22, in an amount determined by the City Council of the City of Ontario through the application of the Rate and Method of Apportionment, as described below. All of the real property in CFD No. 59, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms as may hereinafter be set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 59: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or CFD No. 59 or both); the costs of collecting the Special Taxes (whether by the County or otherwise); the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City or CFD No. 59 related to an appeal of the Special Tax; the City's administration fees and third party expenses; the costs of City staff time and reasonable overhead related to CFD No. 59; and amounts estimated or advanced by the City or CFD No. 59 for any other administrative purposes of CFD No. 59, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor's Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means, with respect to an Assessor's Parcel, that number assigned to such Assessor's Parcel by the County for purposes of identification.

"CFD Administrator" means an official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Tax, and performing the other duties provided for herein.

"CFD No. 59" means City of Ontario Community Facilities District No. 59 (Gateway Services).

"City" means the City of Ontario, California.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 59.

"County" means the County of San Bernardino.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Gated Community Attached Dwelling Unit" means a Unit within any residential building containing two or more dwelling units (including attached condominiums, townhouses, duplexes, triplexes, and apartments) within a gated community that, within such community, is primarily served by private interior streets.

"Land Use Class" means any of the classes listed in Table 1 below.

"Lower Income Household Welfare Exemption Property" means, for each Fiscal Year, an Assessor's Parcel within the boundaries of CFD No. 59 that is subject to a welfare exemption under subdivision (g) of Section 214 of the California Revenue and Taxation Code (or any successor statute), as indicated in the most recent County assessor's roll finalized prior to such Fiscal Year.

"Maximum Special Tax" means, with respect to an Assessor's Parcel of Taxable Property, the maximum Special Tax determined in accordance with Section C below that can be levied in any Fiscal Year on such Assessor's Parcel of Taxable Property.

"Multiple Family Dwelling Unit" means a Unit within any residential building containing two or more dwelling units, including attached condominiums, townhomes, duplexes, triplexes, and apartments, but excluding Gated Community Attached Dwelling Units.

"Non-Residential" means any buildings that are for commercial lodging use, commercial retail use, institutional use (e.g., churches, private schools), commercial restaurant use, office use, or industrial use.

"Non-Residential Property" means, for each Fiscal Year, an Assessor's Parcel for which a building permit for new construction was issued after January 1, 2020, and before May 1 of the prior Fiscal Year, for a Non-Residential use.

"Property Owner Association Property" means, for each Fiscal Year, property within the boundaries of CFD No. 59 that was owned by a property owner association, including any master or sub-association, as of January 1 of the prior Fiscal Year.

"Proportionately" means that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Property.

"Public Property" means, for each Fiscal Year, property within the boundaries of CFD No. 59 that is (a) owned by, irrevocably offered to, or dedicated to the federal government, the State, the County, the City, or any local government or other public agency or (b) encumbered by an easement for purposes of public or utility right-of-way that makes impractical its use for any purpose other than that set forth in such easement, provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

"Rate and Method of Apportionment" means this Rate and Method of Apportionment of Special Tax.

"Residential Property" means, for each Fiscal Year, an Assessor's Parcel for which a building permit for new construction of one or more Units was issued after January 1, 2020, and before May 1 of the prior Fiscal Year.

"Services" means the services authorized to be financed, in whole or in part, by CFD No. 59, including: police protection services; fire protection and suppression services; ambulance and paramedic services; maintenance and lighting of parks, parkways, streets, roads, and open space; flood and storm protection services; and maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

"Single Family Detached Dwelling Unit" means any residential building containing only one Unit on one legal lot, including single family residences and single family detached residential condominium units.

"Special Tax" means the special tax authorized by the qualified electors of CFD No. 59 to be levied within the boundaries of CFD No. 59.

"Special Tax Requirement" means the amount necessary in any Fiscal Year to pay the cost of the Services, Administrative Expenses, and an amount equal to Special Tax delinquencies based on the historical delinquency rate for Special Taxes, as determined by the CFD Administrator.

"Square Footage" or **"Sq. Ft."** means, with respect to a building of Non-Residential Property, the gross floor area square footage reflected on the original construction building permit, or as set forth in other official records maintained by the City's Building Department or other appropriate means selected by CFD No. 59, for such building, plus any square footage subsequently added to a building of Non-Residential Property after issuance of a building permit for expansion or renovation of such building.

"State" means the State of California.

"Taxable Property" means, for each Fiscal Year, all Assessor's Parcels of Residential Property and Non-Residential Property within the boundaries of CFD No. 59 which are not exempt from the Special Tax pursuant to law or Section E below.

"Unit" means an individual single-family detached or attached home, townhome, condominium, apartment unit, or other residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2021-22, all Taxable Property within CFD No. 59 shall be classified as Residential Property (Single Family Detached Dwelling Unit, Multiple Family Dwelling Unit, or Gated Community Attached Dwelling Unit) or Non-Residential Property and shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX

The Maximum Special Tax for each Assessor's Parcel classified as Taxable Property shall be determined by reference to Table 1 below.

TABLE 1
MAXIMUM SPECIAL TAX

Land Use Class	Maximum Special Tax Fiscal Year 2021-22
Residential Property:	
Single Family Detached Dwelling Unit	$1,825 per Unit
Multiple Family Dwelling Unit	$1,582 per Unit
Gated Community Attached Dwelling Unit	$1,326 per Unit
Non-Residential Property	$0.34 per Sq. Ft.

On January 1 of each Fiscal Year, commencing January 1, 2022, the Maximum Special Tax to be applied in the next Fiscal Year shall be subject to an automatic increase at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year.

In some instances an Assessor's Parcel of Taxable Property may contain more than one Land Use Class. The Maximum Special Tax levied on such Assessor's Parcel shall be the sum of the Maximum Special Tax for all Units of Residential Property and Square Footage of Non-Residential Property (based on the applicable building permits, final subdivision map, parcel map, condominium plan, or other recorded County map) located on that Assessor's Parcel.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Each Fiscal Year, beginning with Fiscal Year 2021-22, the CFD Administrator shall determine the Special Tax Requirement. The Special Tax shall then be levied Proportionately on each Assessor's Parcel of Taxable Property up to 100% of the applicable

Maximum Special Tax for such Assessor's Parcel, until the Special Tax Requirement is satisfied. However, the Special Tax levied in any Fiscal Year shall not increase by more than 4.0% of the amount of the Special Tax levied in the prior Fiscal Year.

E. EXEMPTIONS

Notwithstanding anything in this Rate and Method of Apportionment to the contrary, no Special Tax shall be levied on Public Property or Property Owner Association Property.

No Special Tax shall be levied on Lower Income Household Welfare Exemption Property; provided, however, that if, in any Fiscal Year, applicable law does not require that Lower Income Household Welfare Exemption Property be exempt from some portion, or all, of the Special Tax, such portion, or all, of the Special Tax shall be levied on such property in accordance with this Rate and Method of Apportionment based on the Land Use Class to which the Assessor's Parcel is assigned.

F. APPEALS

Any property owner may file a written appeal of the Special Tax with CFD No. 59 claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the City Council, whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the City Council requires the Special Tax to be modified or changed in favor of the property owner, then the CFD Administrator shall determine if sufficient Special Tax revenue is available to make cash refund. If a cash refund cannot be made, then an adjustment shall be made to credit future Special Tax levy(ies).

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

G. MANNER OF COLLECTION

The Special Taxes shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the Special Taxes may be collected in such other manner as the City Council shall determine, including direct billing of affected property owners.

H. TERM OF SPECIAL TAX

The Special Tax shall continue to be levied indefinitely on an annual basis on all Taxable Property in CFD No. 59.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CALLING SPECIAL ELECTION FOR CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES).

WHEREAS, on this date, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 59 (Gateway Services), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation"), establishing City of Ontario Community Facilities District No. 59 (Gateway Services) (the "Community Facilities District"), authorizing the levy of a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District; and

WHEREAS, pursuant to the provisions of the Resolution of Formation, the propositions to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District are to be submitted to the qualified electors of the Community Facilities District as required by the Act; and

WHEREAS, the City Council desires to designate the City Clerk of the City (the "City Clerk") as the election official for the special election provided for herein; and

WHEREAS, there has been filed with the City Clerk a letter from the Registrar of Voters of the County of San Bernardino indicating that no persons were registered to vote within the territory of the proposed Community Facilities District as of February 25, 2021, and, accordingly, that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings on the establishment of the Community Facilities District; and

WHEREAS, there has been filed with the City Clerk consents and waivers of all of the landowners of record in the Community Facilities District waiving any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said special election, including any time limit or requirement applicable to an election pursuant to Article 5 of the Act (commencing with Section 53345 of the Act), consenting to the holding of said special election on April 6, 2021 and waiving any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act; and

WHEREAS, the City Clerk has concurred in said waivers and has concurred in holding said special election on April 6, 2021.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario as follows:

SECTION 1. Pursuant to Sections 53326 and 53325.7 of the Act, the propositions to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be submitted to the qualified electors of the Community Facilities District at an election called therefor as provided below.

SECTION 2. The City Clerk is hereby designated as the official to conduct said election.

SECTION 3. As authorized by Section 53353.5 of the Act, the propositions to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District shall be combined into one ballot proposition.

SECTION 4. The City Council hereby finds and determines that no persons were registered to vote within the territory of the proposed Community Facilities District as of February 25, 2021, and that 12 or more persons have not been registered to vote within the territory of the Community Facilities District for each of the 90 days preceding the close of the public hearings heretofore held by the City Council on the establishment of the Community Facilities District. Accordingly, pursuant to Section 53326 of the Act, the vote shall be by the landowners of the Community Facilities District and each person who is the owner of land as of the close of said public hearings, or the authorized representative thereof, shall have one vote for each acre or portion of an acre that he or she owns within the Community Facilities District not exempt from the special tax.

SECTION 5. The City Council hereby finds and determines that the qualified electors of the Community Facilities District have unanimously consented (a) to the waiver of any time limit specified by Section 53326 of the Act and any requirement pertaining to the conduct of said election, (b) to the holding of said election on April 6, 2021, and (c) to the waiver of any impartial analysis, arguments or rebuttals, as set forth in Sections 53326 and 53327 of the Act. The City Council herby finds and determines that the City Clerk has concurred in said waivers and has concurred in holding said election on April 6, 2021.

SECTION 6. The City Council hereby calls a special election to submit to the qualified electors of the Community Facilities District the combined proposition to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District, which election shall be held at 303 East B Street, Ontario, California, on April 6, 2021. The City Council has caused to be provided to the City Clerk, as the official to conduct said election, the Resolution of Formation, a certified map of sufficient scale and clarity to show the boundaries of the Community Facilities District, and a sufficient description to allow the City Clerk to determine the boundaries of the Community Facilities District.

The voted ballots shall be returned to the City Clerk not later than 7:30 p.m. on April 6, 2021; provided, however, that if all of the qualified electors have voted prior to such time, the election may be closed with the concurrence of the City Clerk.

SECTION 7. Pursuant to Section 53326 of the Act, the election shall be conducted by mail or hand-delivered ballot pursuant to Section 4000 *et. seq.* of the California Elections Code. Except as otherwise provided in the Act, the provisions of law regulating elections of the City, insofar as they may be applicable, will govern the election.

SECTION 8. The form of the ballot for said election is attached hereto as Exhibit A and by this reference incorporated herein, and such form of ballot is hereby approved. The City Clerk shall cause to be delivered to each of the qualified electors of the Community Facilities District a ballot in said form. Each ballot shall indicate the number of votes to be voted by the respective landowner to which it pertains.

Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The identification envelope for return of the ballot shall be enclosed with the ballot, shall have the return postage prepaid, and shall contain: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or the authorized representative of the landowner entitled to vote and is the person whose name appears on the identification envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration described in clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

Analysis and arguments with respect to the ballot proposition are hereby waived, as provided in Section 53327 of the Act.

SECTION 9. The City Clerk shall accept the ballots of the qualified electors in the office of the City Clerk at 303 East B Street, Ontario, California, to and including 7:30 p.m. on April 6, 2021, whether said ballots be personally delivered or received by mail. The City Clerk shall have available ballots which may be marked at said location on the election day by said qualified electors.

SECTION 10. The City Council hereby determines that the services financed by the Community Facilities District are necessary to meet increased demands placed upon local agencies as a result of development occurring in the Community Facilities District.

SECTION 11. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 12. This Resolution shall take effect immediately upon its adoption.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

OFFICIAL BALLOT

CITY OF ONTARIO
APRIL 6, 2021

SPECIAL ELECTION

This ballot is for a special, landowner election. The number of votes to be voted pursuant to this ballot is __.

INSTRUCTIONS TO VOTERS:

To vote on the measure, mark a cross (+ or X) in the voting square after the word "YES" or after the word "NO". All distinguishing marks or erasures are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Ontario and obtain another.

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the City of Ontario Community Facilities District No. 59 (Gateway Services) (the "Community Facilities District") be authorized to levy a special tax in order to finance certain services and shall the annual appropriations limit of the Community Facilities District be established in the amount of $26,000,000, all as specified in the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 59 (Gateway Services), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District," adopted by the City Council of the City of Ontario on April 6, 2021?	Yes: ☐ No: ☐

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN.

WHEREAS, on April 6, 2021, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 59 (Gateway Services)" (the "Resolution Calling Election"), calling for a special election of the qualified electors within City of Ontario Community Facilities District No. 59 (Gateway Services) (the "Community Facilities District"); and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Act, the special election was held on April 6, 2021; and

WHEREAS, the City Clerk of the City (the "City Clerk") has certified the canvass of the returns of the election and has filed a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ontario as follows:

SECTION 1. The City Council has received, reviewed and hereby accepts the Canvass.

SECTION 2. The City Council hereby finds and declares that the ballot proposition submitted to the qualified electors of the Community Facilities District pursuant to the Resolution Calling Election has been passed and approved by such electors in accordance with Section 53328 and Section 53325.7 of the Act.

SECTION 3. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of San Bernardino a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

SECTION 4. The officers, employees and agents of the City are hereby authorized and directed to take all actions and do all things which they, or any of them, may deem necessary or desirable to accomplish the purposes of this Resolution and not inconsistent with the provisions hereof.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

CANVASS AND STATEMENT OF RESULTS OF ELECTION

I hereby certify that on April 6, 2021, I canvassed the returns of the special election held on April 6, 2021, for the City of Ontario Community Facilities District No. 59 (Gateway Services), that the total number of ballots cast in said Community Facilities District and the total number of votes cast for and against the proposition are as follows and that the totals as shown for and against the proposition are true and correct:

	Qualified Landowner Votes	Votes Cast	YES	NO
City of Ontario Community Facilities District No. 59 (Gateway Services) Special Election, April 6, 2021	55	—	—	—

MEASURE SUBMITTED TO VOTE OF VOTERS: Shall the City of Ontario Community Facilities District No. 59 (Gateway Services) (the "Community Facilities District") be authorized to levy a special tax in order to finance certain services and shall the annual appropriations limit of the Community Facilities District be established in the amount of $26,000,000, all as specified in the Resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 59 (Gateway Services), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District," adopted by the City Council of the City of Ontario on April 6, 2021?

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND this 6th day of April, 2021.

By: _____
Sheila Mautz, City Clerk
City of Ontario

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES).

WHEREAS, on February 16, 2021, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), adopted a resolution entitled "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District Proposed to be Named City of Ontario Community Facilities District No. 59 (Gateway Services) and to Authorize the Levy of Special Taxes" stating its intention to establish City of Ontario Community Facilities District No. 59 (Gateway Services) (the "Community Facilities District") and to finance certain services (the "Services"); and

WHEREAS, on April 6, 2021, the City Council held a noticed public hearing on the establishment of the Community Facilities District, as required by the Act; and

WHEREAS, subsequent to the close of said hearing, the City Council adopted resolutions entitled "A Resolution of the City Council of the City of Ontario, California, of Formation of the City of Ontario Community Facilities District No. 59 (Gateway Services), Authorizing the Levy of a Special Tax within the Community Facilities District and Establishing an Appropriations Limit for the Community Facilities District" (the "Resolution of Formation") and "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 59 (Gateway Services)," which resolutions established the Community Facilities District, authorized the levy of a special tax within the Community Facilities District and called an election within the Community Facilities District on the proposition of levying a special tax within the Community Facilities District and establishing an appropriations limit for the Community Facilities District, respectively; and

WHEREAS, on April 6, 2021, an election was held in which the qualified electors of the Community Facilities District approved said proposition by more than the two-thirds vote required by the Act.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby authorizes and levies special taxes within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rate and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method of Apportionment"). The special taxes are hereby levied commencing in fiscal year 2021-22 and in each fiscal year thereafter until the last fiscal year in which such special taxes are authorized to be levied pursuant to the Rate and Method of Apportionment.

SECTION 2. The City Council may, in accordance with subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the special tax in future tax years at the same rate or at a lower rate than the rate provided by this Ordinance. In

no event shall the special tax be levied on any parcel within the Community Facilities District in excess of the maximum tax specified therefor in the Rate and Method of Apportionment.

SECTION 3. The special tax shall be levied on all of the parcels in the Community Facilities District, unless exempted by law or by the Rate and Method of Apportionment.

SECTION 4. The proceeds of the special tax shall only be used to pay, in whole or in part, the cost of providing the Services and incidental expenses pursuant to the Act.

SECTION 5. The special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the City Council.

SECTION 6. If for any reason any portion of this Ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the Community Facilities District, by a court of competent jurisdiction, the balance of this Ordinance and the application of the special tax to the remaining parcels within the Community Facilities District shall not be affected.

SECTION 7. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

The City Clerk of the City of Ontario shall certify as to the adoption of this Ordinance.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held April 6, 2021 and adopted at the regular meeting held _____, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held _____ and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO: City Clerk, City Hall 303 E. "B" Street Ontario, CA 91764	

NOTICE OF SPECIAL TAX LIEN

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

Pursuant to the requirements of Section 3114.5 of the California Streets and Highways Code and Section 53328.3 of the Mello-Roos Community Facilities Act of 1982 (the "Act"), the undersigned City Clerk of the City of Ontario (the "City"), State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the City Council of the City, State of California. The special tax secured by this lien is authorized to be levied for the purpose of providing the services described on Exhibit A.

The special tax is authorized to be levied within the City of Ontario Community Facilities District No. 59 (Gateway Services) (the "Community Facilities District") that has now been officially formed and the lien of the special tax is a continuing lien that shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is permanently satisfied and canceled in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Act.

The rate, method of apportionment, and manner of collection of the authorized special tax is as set forth in Exhibit B attached hereto and hereby made a part hereof. No provision has been made for the prepayment of the special tax.

Notice is further given that upon the recording of this notice in the office of the County Recorder of the County of San Bernardino, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within the Community Facilities District in accordance with Section 3115.5 of the California Streets and Highways Code.

The name(s) of the owner(s) and the assessor's tax parcel number(s) of the real property included within the Community Facilities District and not exempt from the special tax are as set forth in Exhibit C attached hereto and hereby made a part hereof.

Reference is made to the boundary map of the Community Facilities District recorded at Book 89 of Maps of Assessment and Community Facilities Districts at Page 59, in the office of the County Recorder for the County of San Bernardino, State of California (Document No. 2021-0086932), which map is now the final boundary map of the District.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Management Analyst, Financial Services, City of Ontario, 303 East B Street, Ontario, California 91764, (909) 395-2341.

Dated: April 6, 2021

By: _____
Sheila Mautz, City Clerk
City of Ontario

EXHIBIT A

SERVICES TO BE FINANCED

The types of services to be financed by the Community Facilities District are police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads and open space, flood and storm protection services and maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

EXHIBIT B

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax shall be levied on all Assessor's Parcels in the City of Ontario Community Facilities District No. 59 (Gateway Services) ("CFD No. 59") and collected each Fiscal Year commencing in Fiscal Year 2021-22, in an amount determined by the City Council of the City of Ontario through the application of the Rate and Method of Apportionment, as described below. All of the real property in CFD No. 59, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms as may hereinafter be set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 59: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or CFD No. 59 or both); the costs of collecting the Special Taxes (whether by the County or otherwise); the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City or CFD No. 59 related to an appeal of the Special Tax; the City's administration fees and third party expenses; the costs of City staff time and reasonable overhead related to CFD No. 59; and amounts estimated or advanced by the City or CFD No. 59 for any other administrative purposes of CFD No. 59, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor's Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means, with respect to an Assessor's Parcel, that number assigned to such Assessor's Parcel by the County for purposes of identification.

"CFD Administrator" means an official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Tax, and performing the other duties provided for herein.

"CFD No. 59" means City of Ontario Community Facilities District No. 59 (Gateway Services).

"City" means the City of Ontario, California.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 59.

"County" means the County of San Bernardino.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Gated Community Attached Dwelling Unit" means a Unit within any residential building containing two or more dwelling units (including attached condominiums, townhouses, duplexes, triplexes, and apartments) within a gated community that, within such community, is primarily served by private interior streets.

"Land Use Class" means any of the classes listed in Table 1 below.

"Lower Income Household Welfare Exemption Property" means, for each Fiscal Year, an Assessor's Parcel within the boundaries of CFD No. 59 that is subject to a welfare exemption under subdivision (g) of Section 214 of the California Revenue and Taxation Code (or any successor statute), as indicated in the most recent County assessor's roll finalized prior to such Fiscal Year.

"Maximum Special Tax" means, with respect to an Assessor's Parcel of Taxable Property, the maximum Special Tax determined in accordance with Section C below that can be levied in any Fiscal Year on such Assessor's Parcel of Taxable Property.

"Multiple Family Dwelling Unit" means a Unit within any residential building containing two or more dwelling units, including attached condominiums, townhomes, duplexes, triplexes, and apartments, but excluding Gated Community Attached Dwelling Units.

"Non-Residential" means any buildings that are for commercial lodging use, commercial retail use, institutional use (e.g., churches, private schools), commercial restaurant use, office use, or industrial use.

"Non-Residential Property" means, for each Fiscal Year, an Assessor's Parcel for which a building permit for new construction was issued after January 1, 2020, and before May 1 of the prior Fiscal Year, for a Non-Residential use.

"Property Owner Association Property" means, for each Fiscal Year, property within the boundaries of CFD No. 59 that was owned by a property owner association, including any master or sub-association, as of January 1 of the prior Fiscal Year.

"Proportionately" means that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Property.

"Public Property" means, for each Fiscal Year, property within the boundaries of CFD No. 59 that is (a) owned by, irrevocably offered to, or dedicated to the federal government, the State, the County, the City, or any local government or other public agency or (b) encumbered by an easement for purposes of public or utility right-of-way that makes impractical its use for any purpose other than that set forth in such easement, provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

"Rate and Method of Apportionment" means this Rate and Method of Apportionment of Special Tax.

"Residential Property" means, for each Fiscal Year, an Assessor's Parcel for which a building permit for new construction of one or more Units was issued after January 1, 2020, and before May 1 of the prior Fiscal Year.

"Services" means the services authorized to be financed, in whole or in part, by CFD No. 59, including: police protection services; fire protection and suppression services; ambulance and paramedic services; maintenance and lighting of parks, parkways, streets, roads, and open space; flood and storm protection services; and maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

"Single Family Detached Dwelling Unit" means any residential building containing only one Unit on one legal lot, including single family residences and single family detached residential condominium units.

"Special Tax" means the special tax authorized by the qualified electors of CFD No. 59 to be levied within the boundaries of CFD No. 59.

"Special Tax Requirement" means the amount necessary in any Fiscal Year to pay the cost of the Services, Administrative Expenses, and an amount equal to Special Tax delinquencies based on the historical delinquency rate for Special Taxes, as determined by the CFD Administrator.

"Square Footage" or **"Sq. Ft."** means, with respect to a building of Non-Residential Property, the gross floor area square footage reflected on the original construction building permit, or as set forth in other official records maintained by the City's Building Department or other appropriate means selected by CFD No. 59, for such building, plus any square footage subsequently added to a building of Non-Residential Property after issuance of a building permit for expansion or renovation of such building.

"State" means the State of California.

"Taxable Property" means, for each Fiscal Year, all Assessor's Parcels of Residential Property and Non-Residential Property within the boundaries of CFD No. 59 which are not exempt from the Special Tax pursuant to law or Section E below.

"Unit" means an individual single-family detached or attached home, townhome, condominium, apartment unit, or other residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2021-22, all Taxable Property within CFD No. 59 shall be classified as Residential Property (Single Family Detached Dwelling Unit, Multiple Family Dwelling Unit, or Gated Community Attached Dwelling Unit) or Non-Residential Property and shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX

The Maximum Special Tax for each Assessor's Parcel classified as Taxable Property shall be determined by reference to Table 1 below.

TABLE 1
MAXIMUM SPECIAL TAX

Land Use Class	Maximum Special Tax Fiscal Year 2021-22
Residential Property:	
Single Family Detached Dwelling Unit	$1,825 per Unit
Multiple Family Dwelling Unit	$1,582 per Unit
Gated Community Attached Dwelling Unit	$1,326 per Unit
Non-Residential Property	$0.34 per Sq. Ft.

On January 1 of each Fiscal Year, commencing January 1, 2022, the Maximum Special Tax to be applied in the next Fiscal Year shall be subject to an automatic increase at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year.

In some instances an Assessor's Parcel of Taxable Property may contain more than one Land Use Class. The Maximum Special Tax levied on such Assessor's Parcel shall be the sum of the Maximum Special Tax for all Units of Residential Property and Square Footage of Non-Residential Property (based on the applicable building permits, final subdivision map, parcel map, condominium plan, or other recorded County map) located on that Assessor's Parcel.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Each Fiscal Year, beginning with Fiscal Year 2021-22, the CFD Administrator shall determine the Special Tax Requirement. The Special Tax shall then be levied Proportionately on each Assessor's Parcel of Taxable Property up to 100% of the applicable

Maximum Special Tax for such Assessor's Parcel, until the Special Tax Requirement is satisfied. However, the Special Tax levied in any Fiscal Year shall not increase by more than 4.0% of the amount of the Special Tax levied in the prior Fiscal Year.

E. EXEMPTIONS

Notwithstanding anything in this Rate and Method of Apportionment to the contrary, no Special Tax shall be levied on Public Property or Property Owner Association Property.

No Special Tax shall be levied on Lower Income Household Welfare Exemption Property; provided, however, that if, in any Fiscal Year, applicable law does not require that Lower Income Household Welfare Exemption Property be exempt from some portion, or all, of the Special Tax, such portion, or all, of the Special Tax shall be levied on such property in accordance with this Rate and Method of Apportionment based on the Land Use Class to which the Assessor's Parcel is assigned.

F. APPEALS

Any property owner may file a written appeal of the Special Tax with CFD No. 59 claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the City Council, whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the City Council requires the Special Tax to be modified or changed in favor of the property owner, then the CFD Administrator shall determine if sufficient Special Tax revenue is available to make cash refund. If a cash refund cannot be made, then an adjustment shall be made to credit future Special Tax levy(ies).

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

G. MANNER OF COLLECTION

The Special Taxes shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the Special Taxes may be collected in such other manner as the City Council shall determine, including direct billing of affected property owners.

H. TERM OF SPECIAL TAX

The Special Tax shall continue to be levied indefinitely on an annual basis on all Taxable Property in CFD No. 59.

EXHIBIT C

PROPERTY OWNER AND ASSESSOR'S PARCEL NUMBERS

Name of Property Owner	San Bernardino County Assessor's Parcel Nos.
GDCI-RCCD 2, L.P., a Delaware limited partnership	0218-211-12 0218-211-25

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

CONCURRENCE OF ELECTION OFFICIAL

I, Sheila Mautz, City Clerk of the City of Ontario (the "City"), hereby certify as follows:

(a) that I am the election official responsible for conducting special elections in the City; and

(b) that, pursuant to Section 53326(a) of the Mello-Roos Community Facilities Act of 1982 (the "Act"), I do hereby concur to (i) the holding of a special election on April 6, 2021, for the purpose of submitting to the qualified electors of City of Ontario Community Facilities District No. 59 (Gateway Services) (the "Community Facilities District") the propositions to levy a special tax within the Community Facilities District and to establish an appropriations limit for the Community Facilities District, as provided in the resolution proposed to be adopted by the City Council of the City on April 6, 2021, entitled "A Resolution of the City Council of the City of Ontario, California, Calling Special Election for City of Ontario Community Facilities District No. 59 (Gateway Services)," and (ii) with respect to such special election, the waiving by the qualified electors of the Community Facilities District of any time limit specified by Section 53326 of the Act.

Dated: April 6, 2021

_____
Sheila Mautz, City Clerk
City of Ontario

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

FORMATION HEARING REPORT

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Introduction

A. Authorized Services

B. Cost Estimates

C. Proposed Boundaries of the Community Facilities District

Exhibit A – Description of Authorized Services

Exhibit B – Incidental Expenses

Exhibit C – Cost Estimates

Exhibit D – Boundary Map

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

INTRODUCTION. The City Council of the City of Ontario (the "City Council") did, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"), on February 16, 2021, adopt a resolution entitled, "A Resolution of the City Council of the City of Ontario, California, of Intention to Establish a Community Facilities District Proposed to be Named City of Ontario Community Facilities District No. 59 (Gateway Services) and to Authorize the Levy of Special Taxes" (the "ROI"). In the ROI, the City Council expressly ordered the preparation of a written formation hearing report (the "Hearing Report") for the proposed City of Ontario Community Facilities District No. 59 (Gateway Services) (the "District"), as required by Section 53321.5 of the Act.

Section 53321.5 of the Act does direct that the Hearing Report generally contain the following:

1. A brief description of the public services by type which will, in the opinion of each officer of the City who is or will be responsible for providing one or more of the types of services proposed to be financed by the District, be required to adequately meet the needs of the District; and

2. An estimate of the fair and reasonable cost of providing such public services, including an estimate of the fair and reasonable cost of the incidental expenses proposed to be paid, including any administrative costs, and an estimate of the fair and reasonable cost of all other related expenses.

For particulars, reference is made to the ROI for the District, as previously approved and adopted by the City Council.

NOW, THEREFORE, the following data is submitted pursuant to the direction of the City Council:

A. AUTHORIZED SERVICES. A general description of the public services and incidental expenses are as shown in Exhibit "A" and Exhibit "B" attached hereto and hereby made a part hereof.

B. COST ESTIMATES. The cost estimates for the public services are set forth in Exhibit "C" attached hereto and hereby made a part hereof.

C. PROPOSED BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. The proposed boundaries of the District are those properties and parcels in which special taxes may be levied to pay for the costs and expenses of the authorized public services. The proposed boundaries of the District are as shown on the boundary map recorded in Book 89 of Maps of Assessment and Community Facilities Districts at Page 59 in the office of the County Recorder for the County of San Bernardino. The boundary map is attached hereto as Exhibit "D" and hereby made a part hereof.

Dated: April 6, 2021

EXHIBIT A

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

DESCRIPTION OF AUTHORIZED SERVICES

The types of services to be financed by the District are police protection services, fire protection and suppression services, ambulance and paramedic services, maintenance and lighting of parks, parkways, streets, roads and open space, flood and storm protection services, and maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the City.

EXHIBIT B

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

INCIDENTAL EXPENSES

The incidental expenses proposed to be incurred include the costs associated with the creation of the District, determination of the amount of taxes, collection of taxes, payment of taxes, or costs otherwise incurred in order to carry out the authorized purposes of the District.

EXHIBIT C

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

COST ESTIMATE

Subject to any land use changes or future annexations, the services cost estimate will not exceed the expected revenues from Residential Property and Non-Residential Property (capitalized terms as defined in the Rate and Method of Apportionment of Special Tax) within the District. However, actual revenues collected and service costs funded each Fiscal Year will depend on development that has taken place in the District, as well as service requirements and related costs. Based on current projections, revenues generated at buildout of the property in the District will be as shown in the table below. If a land use change causes the dwelling unit or building square footage estimates to change, the services cost estimate shall adjust accordingly.

Land Use	Units or Sq. Ft.	Maximum Special Tax Fiscal Year 2021-22 [2]	Total Maximum Special Tax Fiscal Year 2021-22
Residential Property			
Single Family Detached Dwelling Unit	87	$1,825 per Unit	$158,775
Multiple Family Dwelling Unit	84	$1,582 per Unit	$132,888
Gated Community Attached Dwelling Unit	137	$1,326 per Unit	$181,662
Non-Residential Property	156,150	$0.34 per Sq. Ft.	$53,091
Annual Services Cost Estimate [1]			$526,416

[1] Total incidental expenses for the CFD, estimated at $30,000, are included in the amount shown.

[2] On January 1 of each Fiscal Year, commencing January 1, 2022, the Maximum Special Tax to be applied in the next Fiscal Year shall be subject to an automatic increase at a rate equal to 4.0% of the amount in effect for the prior Fiscal Year.

EXHIBIT D

CITY OF ONTARIO
COMMUNITY FACILITIES DISTRICT NO. 59
(GATEWAY SERVICES)

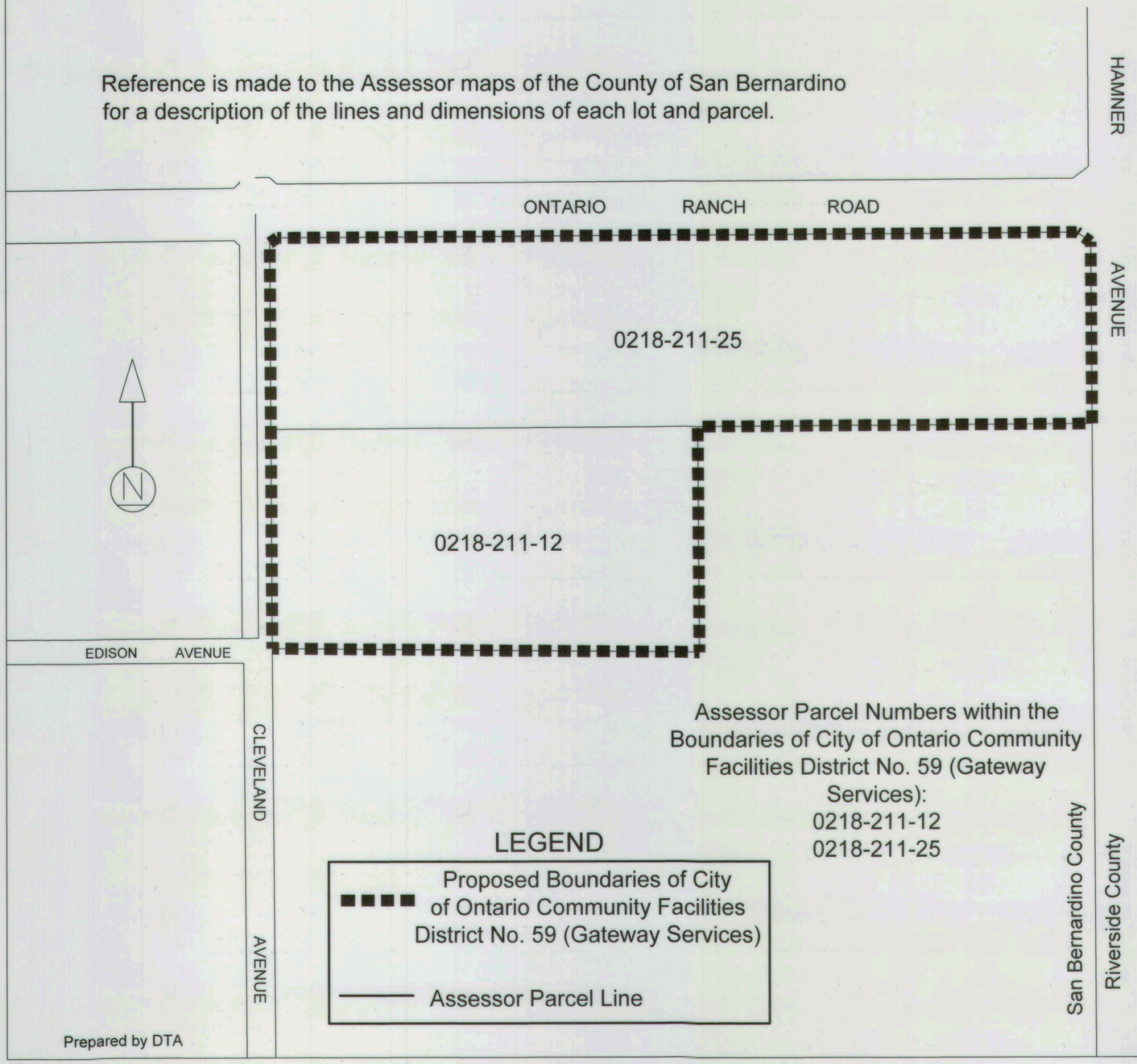
BOUNDARY MAP

CONFORMED COPY

SHEET 1 OF 1

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES) COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA

Reference is made to the Assessor maps of the County of San Bernardino for a description of the lines and dimensions of each lot and parcel.



Assessor Parcel Numbers within the Boundaries of City of Ontario Community Facilities District No. 59 (Gateway Services):
0218-211-12
0218-211-25

LEGEND

Proposed Boundaries of City of Ontario Community Facilities District No. 59 (Gateway Services)

Assessor Parcel Line

(1) Filed in the office of the Clerk of the City of Ontario this 16th day of February, 2021.

Karen M Marrison, Deputy City Clerk
for Sheila Mautz, Clerk of the City of Ontario, California

(2) I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 59 (Gateway Services), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the 16th day of February, 2021, by its Resolution No. 2021-018.

Karen M Marrison, Deputy City Clerk
for Sheila Mautz, Clerk of the City of Ontario, California

CITY OF ONTARIO INCORPORATED DECEMBER 1891 CALIFORNIA

San Bernardino County Recorder's Certificate

This map has been filed under Document Number 2021-0086932, this 24th day of February, 2021, at 10:39 A.m., in Book 89 of Maps of Assessment and Community Facilities Districts at page 59, in the office of the county recorder in the County of San Bernardino, State of California, at the request of the City of Ontario in the amount of $ 9.00.

Bob Dutton
Assessor-Recorder
County of San Bernardino

By: Susan Garcia
Deputy Recorder

777 East Rialto Avenue, San Bernardino, CA 92415 | Phone: 909.387.8300 Fax: 909.387.2022
www.SBCounty.gov

SAN BERNARDINO COUNTY

Registrar of Voters

Bob Page
Registrar of Voters

February 26, 2021

Orrick, Herrington & Sutcliffe LLP
777 South Figueroa Street, Suite 3200
Los Angeles, CA 90017-5855

Attention: Sean J. Baxter

To Whom It May Concern:

On February 1, 2021, the San Bernardino County Registrar of Voters received a request to provide the number of registered voters residing within the City of Ontario Community Facilities District No. 59 (Gateway Services).

After examining the voter registration records within the area, the Registrar of Voters certifies the following information as of February 25, 2021:

Registered voters within the area: 0

An invoice for services rendered for this request will be provided later.

If you have any questions, please contact the Registrar of Voters at (909) 387-8300.

Sincerely,

Melissa Eickman
Media Specialist

BOARD OF SUPERVISORS
Col. Paul Cook (Ret.) First District | Janice Rutherford Second District | Dawn Rowe Vice Chair, Third District | Curt Hagman Chairman, Fourth District | Joe Baca, Jr. Fifth District
Leonard X. Hernandez Chief Executive Officer

Orrick, Herrington & Sutcliffe LLP
777 South Figueroa **Street**
Suite 3200
Los Angeles, CA 90017-5855
+1 213 629 2020
orrick.com

Sean J. Baxter

E SBaxter@orrick.com
D +1 213 612 2171
F +1 213 612 2499

February 1, 2021

Via E-mail Only

County of San Bernardino
Elections Office of the Registrar of Voters
777 East Rialto Avenue
San Bernardino, California 92415-0770

Attn: Ms. Audilia Lozada and
Ms. Melissa Eickman

Re: Registered Voters in the City of Ontario Community Facilities District No. 59 (Gateway Services)

Dear Ms. Lozada and Ms. Eickman:

The owners of property in the City of Ontario Community Facilities District No. 59 (Gateway Services) ("District No. 59") have petitioned for proceedings to levy a special tax under the Mello-Roos Community Facilities Act of 1982 in District No. 59.

The boundaries of the territory within District No. 59 are identified by the following San Bernardino County Assessor Parcel Numbers:

0218-211-12
0218-211-25

Such boundaries are further shown on the enclosed boundary map.

The property owners have indicated that there are no registered voters within District No. 59. I would appreciate your reviewing your records and confirming that there are no registered voters encompassed by the parcels, or in the alternative, if there are registered voters, the number of persons registered to vote in District No. 59. **I would appreciate a response to this request by Monday, March 1, using a certification date of no sooner than Thursday, February 25, if possible. It is OK if the certification date needs to be sooner to provide a response by Monday, March 1**. We would appreciate it if you would please direct the invoice, when available,

to the following address: Financial Services, City of Ontario, 303 East B Street, Ontario, CA 91764, Attention: Ms. Cruzita O. Torres.

Please let me know if you have any further questions. My telephone number is (213) 612-2171 and my e-mail is sbaxter@orrick.com. Thank you for your assistance.

Sincerely,

/s/ Sean J. Baxter

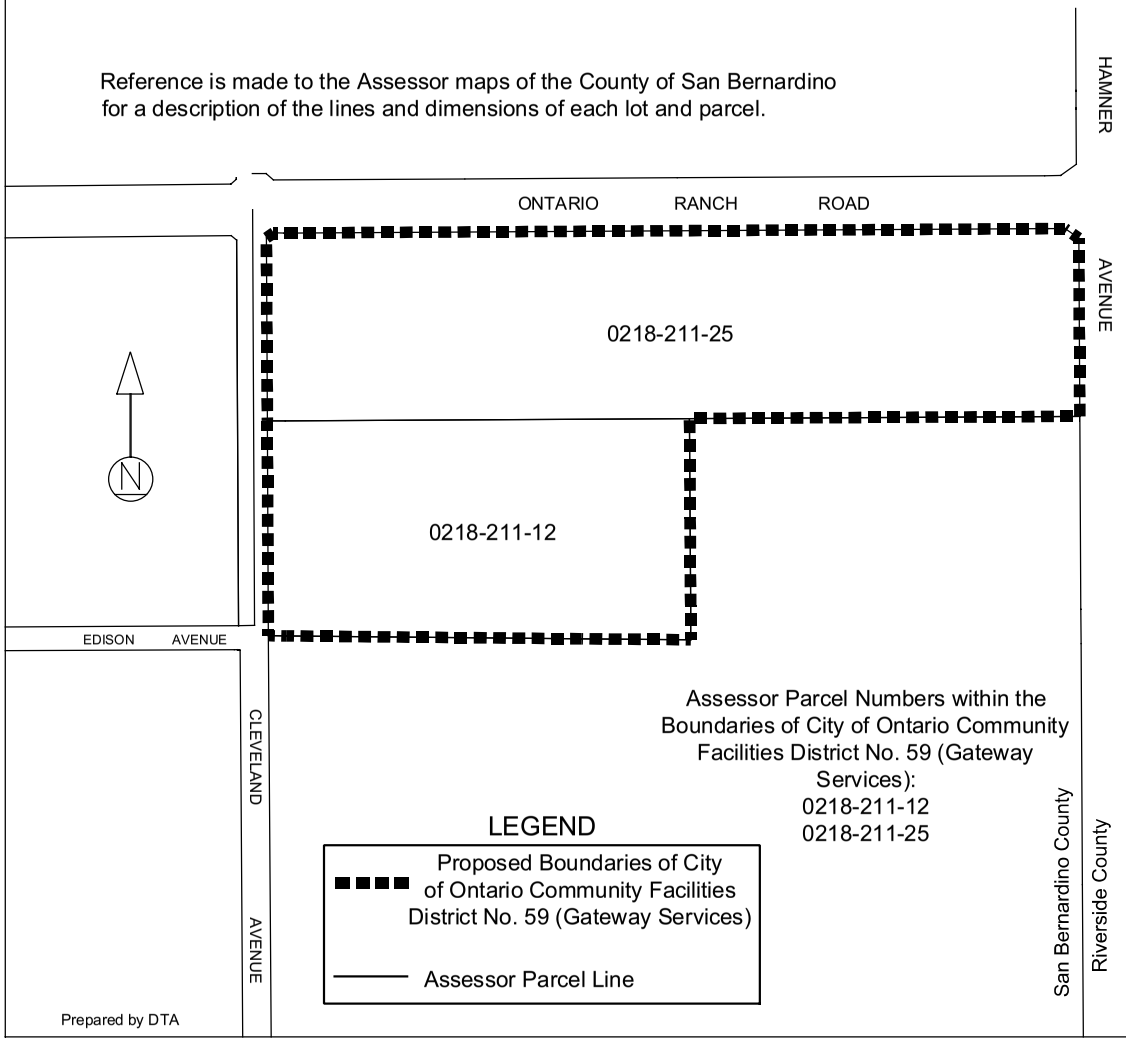
Sean J. Baxter
Project Manager

Enclosure

SHEET 1 OF 1

PROPOSED BOUNDARIES OF CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 59 (GATEWAY SERVICES) COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA

Reference is made to the Assessor maps of the County of San Bernardino for a description of the lines and dimensions of each lot and parcel.



(1) Filed in the office of the Clerk of the City of Ontario this ____ day of _____, 2021.

_____
Sheila Mautz, Clerk of the City of Ontario, California

(2) I hereby certify that the within map showing the proposed boundaries of City of Ontario Community Facilities District No. 59 (Gateway Services), County of San Bernardino, State of California, was approved by the City Council of the City of Ontario at a regular meeting thereof, held on the _____ day of _____, 2021, by its Resolution No. _____.

_____
Sheila Mautz, Clerk of the City of Ontario, California

CITY OF ONTARIO INCORPORATED DECEMBER 1891 CALIFORNIA

San Bernardino County Recorder's Certificate

This map has been filed under Document Number _____, this _____ day of _____, 2021, at _____.m., in Book _____ of Maps of Assessment and Community Facilities Districts at page _____, in the office of the county recorder in the County of San Bernardino, State of California, at the request of the City of Ontario in the amount of $_____.

Bob Dutton
Assessor-Recorder
County of San Bernardino

By:_____

Deputy Recorder

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **PUBLIC HEARINGS** ** **
Department: Management Services Prepared By: Michael Krouse Staff Member Presenting: Darlene M. Sanchez, Assistant City Manager Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 12

SUBJECT: A RESOLUTION DECLARING RESULTS OF MAJORITY PROTEST PROCEEDINGS AND MODIFYING THE GREATER ONTARIO TOURISM MARKETING DISTRICT MANAGEMENT DISTRICT PLAN

RECOMMENDATION: That the City Council hold a final hearing, and adopt a resolution declaring the results of the majority protest proceeding to modify the Greater Ontario Tourism Marketing District Management District Plan.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: There is no immediate fiscal impact associated with the adoption of this resolution. The GOTMD programs are intended to increase visitation to the City. The proposed modification would add all short-term rentals to the program.

BACKGROUND & ANALYSIS: The Greater Ontario Tourism Marketing District (GOTMD) is a benefit assessment district created in 2013 and renewed in 2018 to fund marketing and sales promotion efforts for assessed lodging businesses. The GOTMD currently includes all lodging businesses with fifty (50) rooms or more located within the boundaries of the cities of Ontario and Rancho Cucamonga.

The Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq., allows for the Owners' Association to request the City Council to modify the Management District Plan (Plan). The Greater Ontario Convention and Visitors Bureau (Bureau) is the Owners' Association of the GOTMD and has requested that City Council begin proceedings to modify the Plan. The proposed modification will modify the Plan to now include all short-term rentals located within the boundaries of the cities of Ontario and Rancho Cucamonga, in addition to all lodging businesses with fifty (50) rooms or more that are already included in the Plan.

Hoteliers and the Bureau decided to pursue formation and renewal of the GOTMD in order to have a revenue source devoted to marketing the Greater Ontario area as a tourist, meeting and event destination. The Bureau now desires to build upon this success by modifying the Plan to include all short-term rentals.

Tourism Marketing Districts: Tourism Marketing Districts (TMDs) utilize the efficiencies of private sector operation in the market-based promotion of tourism. These special assessment districts allow lodging and tourism-related business owners to organize their efforts to increase tourism. Tourism-related business owners within the district fund the TMD, and those funds are used to provide services

that the businesses desire and that benefit the lodging businesses within the TMD.

TMD benefits include the following:

- Funds cannot be diverted for other government programs
- They are customized to fit the needs of each destination
- They allow for a wide range of services, including: Marketing of the Destination, Tourism Promotion Activities and Sales Lead Generation
- They are designed, created and governed by those who will pay the assessment
- They provide a stable funding source for tourism promotion

In California, most Tourism Marketing Districts are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a benefit assessment district to raise funds within a specific geographic area. The key difference between TMDs and other benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.

MANAGEMENT DISTRICT PLAN: The Management District Plan (Attachment 1) includes the boundary of the GOTMD, a service plan and budget and a means of governance. The modified Plan indicates that the GOTMD will include all lodging businesses with fifty (50) rooms or more and all short-term rentals located within the boundaries of the cities of Ontario and Rancho Cucamonga.

The modified Plan with the addition of short-term rentals will take effect on May 1, 2021, and will continue until the expiration of the GOTMD on June 30, 2028. Once per year, beginning on the anniversary of district formation, there is a 30-day period in which business owners paying more than fifty percent (50%) of the assessment may protest and begin proceedings to terminate the district.

The Bureau and/or Cities will be responsible for collecting the assessment on a monthly basis from each assessed business in the GOTMD. Upon a successful modification, this will include short-term rentals in addition to all lodging businesses with fifty (50) rooms or more.

GOTMD MODIFICATION PROCESS:

February 2, 2021 RESOLUTION OF INTENTION HEARING [COMPLETED]
Upon the submission of a written request by the Owners' Association, the City Council may initiate proceedings to modify the Management District Plan by the adoption of a Resolution expressing its intention to modify the Plan.

February 3, 2021 NOTICE [COMPLETED]
The Property and Business Improvement District Act of 1994 requires the City mail written notice to the owners of all businesses currently paying the assessment within the district. Mailing the notice begins a mandatory forty-five (45) day period in which owners may protest the modification.

March 2, 2021 PUBLIC MEETING [COMPLETED]
Allow public testimony on the modification of the Management District Plan. No council action required.

April 6, 2021 FINAL PUBLIC HEARING
If written protests are received from the owners of businesses in the district which will pay more than 50 percent (50%) of the assessments proposed to be levied and protests are not withdrawn so as to

reduce the protests to less than 50 percent (50%), no further proceedings to levy the modified assessment against such businesses shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. The existing GOTMD would remain in place, unmodified.

At the conclusion of the public hearing to modify the Management District Plan, the City Council may adopt, revise, change, reduce, or modify the proposed assessment or the type (or types) of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them.

If the City Council, following the public hearing, decides to modify the Plan and levy an increased assessment, the City Council shall adopt a Resolution of Modification.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, MODIFYING THE MANAGEMENT DISTRICT PLAN OF THE GREATER ONTARIO TOURISM MARKETING DISTRICT.

WHEREAS, on May 3, 2016, the City Council of the City of Ontario ("City Council") adopted Resolution Number #2016-030 adopting the Management District Plan and renewing the Greater Ontario Tourism Marketing District (GOTMD); and

WHEREAS, the Property and Business Improvement District Law of 1994, Streets and Highways Code §36600 et seq., allows the City to modify the Management District Plan ("MDP") at the request of the Owners' Association; and

WHEREAS, the GOTMD Owners' Association, the Greater Ontario Convention and Visitors Bureau ("Bureau"), has requested modification of the MDP; and

WHEREAS, on February 2, 2021, at 6:30 PM, the City Council adopted a Resolution of Intention to Modify the Management District Plan of the Greater Ontario Tourism Marketing District, Resolution No. 2021-010 (the "Resolution of Intention"); and

WHEREAS, the public meeting and the public hearing to consider the modification of the GOTMD have been properly noticed in accordance with Streets and Highways Code §36623; and

WHEREAS, on March 2, 2021, at 6:30 PM at City Council Chambers, 303 East B Street, Ontario, CA 91764, the City Council held a public meeting regarding the modification of the GOTMD, and the City Council heard and received objections and protests, if any, to the modification of the GOTMD MDP; and

WHEREAS, on April 6, 2021, at 6:30 PM at City Council Chambers, 303 East B Street, Ontario, CA 91764, the City Council held a public hearing regarding the modification of the GOTMD, and the City Council heard and received objections and protests, if any, to the modification of the GOTMD MDP; and

WHEREAS, the City Council has determined that there was no majority protest. A majority protest is defined as written protests received from owners of businesses in the proposed district which would pay fifty percent (50%) or more of the assessments proposed to be levied. Protests are weighted based on the assessment proposed to be levied on each lodging business.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

1. The recitals set forth herein are true and correct.

2. The City Council hereby modifies the GOTMD MDP. The modification of the GOTMD MDP will now include all lodging businesses with fifty (50) rooms or more and all short-term rentals located within the boundaries of the cities of Ontario and Rancho Cucamonga.

3. The Bureau and/or Cities shall make all reasonable efforts to enter into an agreement with all Hosting Platforms to collect and remit the TMD assessment on behalf of assessed businesses using a hosting platform.

4. This resolution shall take effect immediately upon its adoption by the City Council.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of April 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

2018-2028



Greater Ontario Tourism marketing District

Management District Plan

Prepared pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq.

~~February 19,~~ 2016March 12,

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C. Annual Report 141513

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APPENDIX 2 – ASSESSED BUSINESSES 262725

APPENDIX 3 – BENEFIT STUDY 282927

Prepared by
Civitas

(800)999-7781
www.civitasadvisors.com

II. OVERVIEW

Developed by the Greater Ontario Convention and Visitors Bureau (Bureau), the Greater Ontario Tourism Marketing District (GOTMD) is an assessment district designed to provide specific benefits to payors, by funding marketing and sales promotion efforts for assessed businesses. The GOTMD was formed in 2013 for a five (5) year term. Lodging businesses now wish to renew the GOTMD for an additional ten (10) years.

Location: The renewed GOTMD includes all lodging businesses with fifty (50) rooms or more and all short-term rentals located within the boundaries of the cities of Ontario and Rancho Cucamonga (Cities), as shown on the map in section IV.

Services: The GOTMD is designed to provide specific benefits directly to assessed lodging businesses by increasing room night sales. Marketing and sales promotions will increase overnight tourism to and market assessed lodging businesses as tourist, meeting and event destinations, thereby increasing room night sales.

Budget: The total GOTMD annual budget for the initial year of its ten (10) year operation is anticipated to be approximately $2,200,000. This budget is expected to fluctuate as room sales do, and will increase to approximately ~~$3,825,000~~ 5,300,000 in year six (6) when the assessment rate increases.

Cost: The annual cost to each assessed lodging business is based on room rental revenue. The annual assessment rate is two percent (2%) of gross short-term room rental revenue in years one through five of this term. The assessment rate will automatically increase to three percent (3%) of gross short-term room rental revenue in years six through ten of this term. Because the marketing programs will not promote or seek certain stays, assessments will not be collected on revenue resulting from: stays of more than thirty (30) consecutive days; stays by any Federal officer or employee when on official Federal government business; nor on stays by any officer or employee of a foreign government who is exempt by express provision of Federal law or international treaty.

Collection: The Bureau or Cities will be responsible for collecting the assessment on a monthly basis (including any delinquencies, penalties and interest) from each assessed lodging business located in its jurisdiction. The Bureau and Cities shall take all reasonable efforts to collect the assessments from each lodging business.

Duration: The GOTMD will have a ten (10) year life, beginning July 1, 2018 through June 30, 2028. Once per year beginning on the anniversary of district renewal there is a 30-day period in which owners paying more than fifty percent (50%) of the assessment may protest and initiate a City Council hearing on district termination.

Management: The Bureau will continue to serve as the GOTMD's Owners' Association. The Owners' Association is charged with managing funds and implementing programs in accordance with the Plan, and must provide annual reports to the City Council.

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III. ACCOMPLISHMENTS

The GOTMD has successfully provided specific benefits to assessed businesses for several years. These benefits will continue under the renewed district. A summary of key benefits from the District's initial term is provided below.

1. Economic Impact

During its first year, GOTMD hotels received:

- Increased Group Room Night Bookings by 9%
- Increased Lead Generation by 19%
- Total Economic Impact grew 12.5% year over year
- Research Reporting, market trends and quarterly updates

2. Five Year Strategic Plan

Developed a Five Year Strategic Plan to drive room night sales that includes:

- New Brand Identity and Brand Positioning
- New Websites and social media platforms
- An Advertising and PR Plan
- Destination & Viral Videos
- Upgraded collateral including Visitor & Meeting Professional Guides
- Industry and Consumer Newsletters about the destination

3. Regional Events

Produced Regional Events to create destination awareness and attract overnight visitors and increase overnight hotel stays:

Huck Finn Jubilee Bluegrass Music Festival

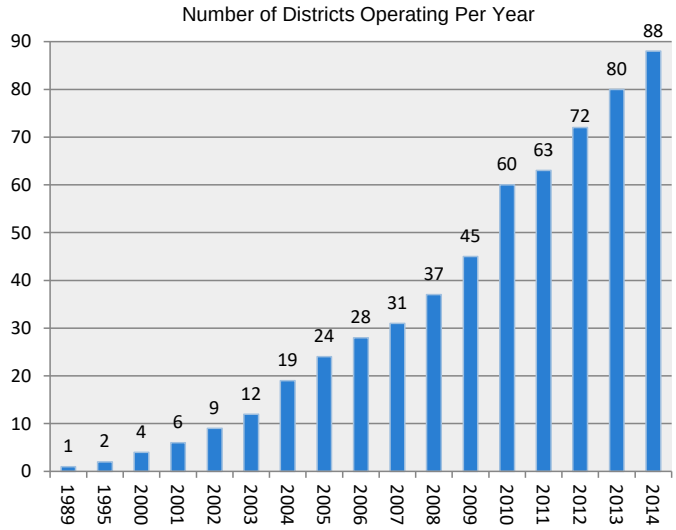
- Total attendance: 30,000
- The largest 3-day Bluegrass Music Festival on the west coast with a line-up of Grammy winning artists spanning a genre that includes the more traditional Bluegrass and also the more contemporary bands

Route 66 Cruisin' Reunion – Classic Car Show

- Total attendance: 200,000
- Classic Car Registrants: Over 1,000 classic car participants
- The Route 66 Cruisin' Reunion features 3 days of classic cars, cruising, contests, live entertainment on two stages, fabulous food and revelry to make it one of the nation's most extended, long play events of its kind.

IV. BACKGROUND

TMDs are an evolution of the traditional Business Improvement District. The first TMD was formed in West Hollywood, California in 1989. Since then, over eighty California destinations have followed suit. In recent years, other states have begun adopting the California model – Washington, Montana, and Texas have adopted TMD laws. Several other states are in the process of adopting their own legislation. And, some cities, like Portland, Oregon, have utilized their charter powers to create TMDs without a state law.



California's TMDs collectively raise over $190 million for local destination marketing. With competitors raising their budgets, and increasing rivalry for visitor dollars, it is important that Greater Ontario lodging businesses invest in stable, lodging-specific marketing programs.

TMDs utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TMDs allow lodging business owners to organize their efforts to increase room night sales. Lodging business owners within the TMD pay an assessment and those funds are used to provide services that increase room night sales.

In California, TMDs are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a benefit assessment district to raise funds within a specific geographic area. *The key difference between TMDs and other benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

There are many benefits to TMDs:

- Funds must be spent on services and improvements that provide a specific benefit only to those who pay;
- Funds cannot be diverted to general government programs;
- They are customized to fit the needs of payors in each destination;
- They allow for a wide range of services;
- They are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable, long-term funding source for tourism promotion.

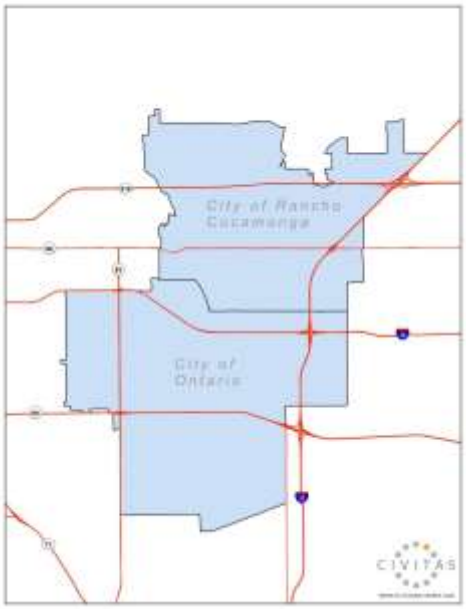
V. BOUNDARY

The GOTMD will include all lodging businesses with fifty (50) or more rooms, and all short-term rentals, existing and in the future, available for public occupancy within the boundaries of the cities of Ontario and Rancho Cucamonga.

Lodging business means: any structure, or any portion of any structure, which is occupied, or intended or designed for occupancy, by transients for dwelling, lodging, or sleeping purposes and shall include any hotel, inn, tourist home, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure, or portion thereof.

"Short-term rental means: a dwelling unit, or any portion thereof, that is rented by the host to another party for a period of not more than 30 consecutive days in exchange for any form of monetary or non-monetary compensation or consideration. "Short-term rental" shall include rental activity in which the host remains on the site of his or her primary residence throughout the duration of the guest's stay, rental activity in which the host remains off the site of his or her primary residence-site for some or all of the duration of the guest's stay, and rental activity that is not a primary residence, and which is available for temporary lodging, for compensation or any form of consideration. "Short-term rental" shall not include: single-room occupancy buildings and a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are made on a monthly basis, or corporate housing.

The boundary, as shown in the map below, currently includes fifty-six (56)~~nine (59)~~ lodging businesses. A complete listing of lodging businesses within the Greater Ontario ~~GO~~TMD can be found in Appendix 2.



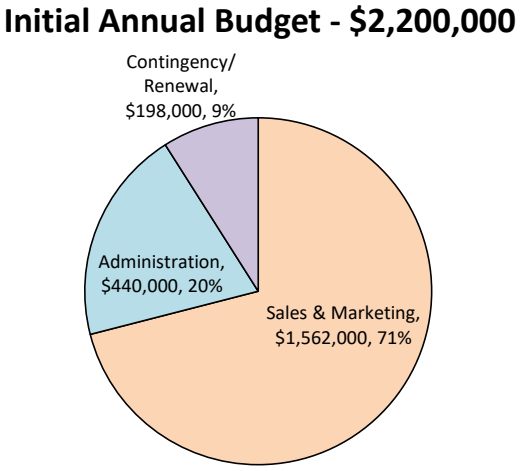
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VI. BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific government services and specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the GOTMD funds are sales and marketing programs available only to assessed businesses.

A service plan budget has been developed to deliver services that benefit assessed businesses in the District. A detailed annual budget will be developed and approved by the Bureau. The table below illustrates the initial annual budget allocations. The total initial budget is $2,200,000.



Although actual revenues will fluctuate due to market conditions and the automatic assessment rate increase in the sixth year of the term, the proportional allocations of the budget shall remain the same. However, the City and the Bureau board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the GOTMD, any and all assessment funds may be used for the costs of defending the GOTMD.

Each budget category includes all costs related to providing that service, in accordance with Generally Accepted Accounting Procedures (GAAP). For example, the sales and marketing budget includes the cost of staff time dedicated to overseeing and implementing the sales and marketing program. Staff time dedicated purely to administrative tasks is allocated to the administrative portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories, as appropriate in accordance with GAAP. The staffing levels necessary to provide the services below will be determined by the Bureau on an as-needed basis.

Sales and Marketing
A sales and marketing program will promote assessed businesses as tourist, meeting, and event destinations. The sales and marketing program will have a central theme of promoting Greater Ontario and Rancho Cucamonga as desirable places for overnight visits. The program will have the goal of increasing overnight visitation and room night sales at assessed businesses, and may include the following activities:

- Internet marketing efforts to increase awareness and optimize internet presence to drive overnight visitation and room sales to assessed businesses;
- Print ads in magazines and newspapers targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Television ads targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Promotion and production of special events that draw overnight visitors to assessed businesses;
- Radio ads targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Attendance of trade shows to promote assessed businesses;
- Sales blitzes for assessed businesses;
- Familiarization tours of assessed businesses;
- Preparation and production of collateral promotional materials such as brochures, flyers and maps featuring assessed businesses;
- Attendance of professional industry conferences and affiliation events to promote assessed businesses;
- Market research to identify targets and opportunities to attract overnight visitors to assessed businesses;
- Lead generation activities designed to attract tourists and group events to assessed businesses; and
- Director of Sales and General Manager meetings to plan and coordinate tourism promotion efforts for assessed businesses.

Administration and Operations
The administration and operations portion of the budget shall be utilized for administrative staffing costs, office costs, and other general administrative costs such as insurance, legal, and accounting fees related to providing specific benefits and government services to the assessed businesses.

Contingency/Renewal
A prudent portion of the budget will be allocated to a contingency fund, to account for lower than anticipated collections. If there are contingency funds collected and near the expiration of the district there are contingency funds remaining, and business owners wish to renew the district, the contingency funds may be used for renewal costs.

B. Annual Budget
The total ten (10) year improvement and service plan budget is below. The assessment rate increase in the sixth year (FY 2023-24) of the ten-year term is taken into account to calculate the increase in fiscal year 2023-24. The budget below includes a three percent (3%) annual increase to the budget

resulting from increased revenue at assessed businesses due to GOTMD programs. The actual annual budgets may fluctuate as room sales and revenue increase at assessed businesses.

GOTMD Estimated Annual Budget	
Fiscal Year	Estimated Budget
2018-19	$ 2,200,000
2019-20	$ 2,266,000
2020-21	$ 1,769,082*
2021-22	$ 3,330,316
2022-23	$ 3,430,225
2023-24	$ 5,299,698
2024-25	$ 5,458,689
2025-26	$ 5,622,450
2026-27	$ 5,791,123
2027-28	$ 5,964,857
Total	$ 41,132,442

~~GOTMD Estimated Annual Budget~~

~~Fiscal Year~~	~~Estimated Budget~~
~~2018-19~~	~~$2,200,000.00~~
~~2019-20~~	~~$2,266,000.00~~
~~2020-21~~	~~$2,333,980.00~~
~~2021-22~~	~~$2,403,999.40~~
~~2022-23~~	~~$2,476,119.38~~
~~2023-24~~	~~$3,825,604.45~~
~~2024-25~~	~~$3,940,372.58~~
~~2025-26~~	~~$4,058,583.76~~
~~2026-27~~	~~$4,180,341.27~~
~~2027-28~~	~~$4,305,751.51~~
~~Total~~	~~$31,990,752.34~~

**The FY2020-21 estimated budget includes a reduction in collections due to COVID-19.*

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C. California Constitutional Compliance

The GOTMD levy is a charge on the lodging businesses for the cost of providing the specific benefits and specific government services. The GOTMD levy is not a tax for general or special purposes, nor is it a property-based assessment subject to the requirements of Proposition 218. The Court has found, "Proposition 218 limited the term 'assessments' to levies on real property."[1] Rather, the GOTMD assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the GOTMD, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

[1] *Jarvis v. the City of San Diego* 72 Cal App. 4th 230

1. Specific Benefit

Proposition 26 requires that assessment funds be expended on, "a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege."[2] The services in this Management District Plan are designed to provide targeted specific benefits directly to assessed lodging businesses, and are intended only to provide specific benefits and services directly to those businesses paying the assessment. These services are tailored not to benefit the general public, businesses in general, or parcels of land, but rather to provide a specific benefit to the assessed lodging businesses within the District. The activities described in this Plan are specifically targeted to increase room night sales and revenue for assessed lodging businesses within the boundaries of the District, and are narrowly tailored. GOTMD funds will be used exclusively to provide the specific benefit of increased room night sales directly to the assessees. For example, assessment funds shall not be used to feature non-assessed lodging businesses in GOTMD programs. Further, assessment funds shall not be used to directly generate sales for non-assessed businesses. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses.

The assessment imposed by this District is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in room night sales and revenue. The specific benefit of an increase in room night sales and revenue for assessed lodging businesses will be provided only to lodging businesses paying the district assessment, with marketing and sales programs promoting lodging businesses paying the district assessment. The marketing and sales programs will be designed to increase room night sales at each assessed lodging businesses. Because they are necessary to provide the marketing and sales programs that specifically benefit the assessed lodging businesses, the administration, collection and contingency services also provide the specific benefit of increased room night sales to the assessed lodging businesses.

Although the District, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, "A specific benefit is not excluded from classification as a 'specific benefit' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor."[3]

2. Specific Government Service

The assessment may also be utilized to provide, "a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product."[4] The legislature has recognized that marketing and promotions services like those to be provided by the GOTMD are government services within the meaning of Proposition 26[5].

Although the District, in providing specific government services to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific government service. The legislature has found that "a specific government

[2] Cal. Const. art XIII C § 1(e)(1)
[3] Government Code section 53758(a)
[4] Cal. Const. art XIII C § 1(e)(2)
[5] Government Code section 53758(b)

service is not excluded from classification as a 'specific government service' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor."[6]

3. Reasonable Cost

District services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. The full amount assessed will be used to provide the services described herein. Funds will be managed by the Owners' Association, and reports submitted on an annual basis to the City. Only assessed lodging businesses will be featured in marketing materials, receive sales leads generated from district-funded activities, be featured in advertising campaigns, and benefit from other district-funded services. Non-assessed lodging businesses will not receive these, nor any other, district-funded services and benefits.

The District-funded programs are all targeted directly at and feature only assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed lodging businesses receive incremental room nights, that portion of the promotion or program generating those room nights shall be paid with non-District funds. GOTMD funds shall only be spent to benefit the assessed businesses, and shall not be spent on that portion of any program which generates incidental room nights for non-assessed businesses.

4. Benefit to NonPayors

The specific benefits and government services provided by the GOTMD will only be directly provided to the assessed businesses; they will not be directly provided to non-assessed businesses. Possible indirect benefit does not preclude the GOTMD services from being considered a specific benefit or government service. The legislature has directly indicated, in the context of tourism marketing districts, that services are not precluded from classification as a specific benefit or a specific government service merely because an indirect benefit to a non-payor occurs as a consequent of providing the service and without cost to the payor.

Although the legislature does not require the cost of any incidental benefit to non-payors be separated from the assessment, out of an abundance of caution a study was conducted on benefit generated by the GOTMD programs. The study is attached as Appendix 3. The study found that 6.5% of marketing programs generate incidental room night sales at non-assessed lodging businesses. Although it is not required, the portion of programs that generate this benefit will be paid for with non-assessment funds. Assessment funds will only fund that portion of the programs (94.5%) which represents a specific benefit to the assessed businesses. For example, if a program costs $100,000 total, the GOTMD will fund $94,500 and the remaining $6,500 will be sourced from non-assessment funds.

The amount of the assessment is no more than necessary to cover the reasonable costs of the proposed activities, and the manner in which the costs are allocated to a business owner bears a fair share or reasonable relationship to the businesses' benefits received from the proposed activities. The benefit study in Appendix 3 found that the benefits provided by the GOTMD do not exceed the reasonable cost.

The programs provided with GOTMD funding receive additional non-assessment funding in the form of grants, corporate sponsorships, event income, transient occupancy tax, and other funds. These

funding sources shall be equal to or exceed the amount of benefit conferred to non-payors annually by the GOTMD's services. These non-assessment funds will be used to pay for the benefit to non-payors provided by the GOTMD services, ensuring that assessments will only be used to provide specific benefits and government services to assessed businesses.

D. Assessment

The annual assessment rate is two percent (2%) in years one through five (FY 2018-19 through FY 2022-23) and three percent (3%) in years six through ten (FY 2023-24 through FY 2027-28) of gross short term room rental revenue. Because the marketing programs will not promote or seek certain stays, assessments will not be collected on revenue resulting from: stays of more than thirty (30) consecutive days; stays by any Federal officer or employee when on official Federal government business; nor on stays by any officer or employee of a foreign government who is exempt by express provision of Federal law or international treaty. Every vacation rental, listing a property or room for rent, operating on a Hosting Platform shall be subject to the assessment.

The term "gross room rental revenue" as used herein means: the consideration charged, whether or not received, for the occupancy of space in a lodging business valued in money, whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property, and services of any kind or nature, without any deduction therefrom whatsoever. Gross room rental revenue shall not include any federal, state or local taxes collected, including but not limited to transient occupancy taxes.

The assessment is levied upon and a direct obligation of the assessed lodging businesses. However, the assessed lodging business may, at its discretion, pass the assessment on to transients. The amount of assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business. The assessment shall be disclosed as the "GOTMD Assessment." The assessment is imposed solely upon, and is the sole obligation of the assessed lodging business even if it is passed on to transients. The assessment shall not be considered revenue for any purposes, including calculation of transient occupancy taxes.

An assessed business may use a hosting platform to list their vacation rental. "Hosting Platform" means a natural person, joint venture, joint stock company, partnership, association, club, company corporation, business trust, or organization of any kind who participates in the short-term rental business by facilitating a booking transaction using any medium of facilitation. If a hosting platform is used to facilitate a booking transaction, the business owner is still solely responsible for ensuring the assessment is remitted for each short-term stay.

Bonds shall not be issued.

E. Penalties and Interest

1. Any business which fails to remit any assessment within thirty (30) days shall pay a penalty in the amount of one-half of one percent (0.5%) per day of the assessment due and owning in addition to the amount of the assessment.
2. Any business which fails to remit any delinquent assessment on or before a period of thirty (30) days following the date on which the assessment first became delinquent (or sixty [60] days after the initial due date) shall pay a second delinquency penalty in the amount of ten percent (10%) of the assessment due and owing in addition to the amount of the assessment and the one-half of one percent (0.5%) penalty first imposed pursuant to section 1 above.

3. If the collecting city determines that the non-payment of any assessment is due to fraud, a penalty in the amount of twenty-five (25%) of the amount of assessment due and owning shall be added thereto in addition to the penalties set forth in section 1 and 2 above.
4. In addition to the penalties imposed, any business which fails to remit any assessment shall pay interest at the rate of one-half of one percent (0.5%) per month, or fraction thereof, on the amount of the assessment due and owing, exclusive of penalties, from the date on which the assessment first became delinquent until paid.

F. Time and Manner for Collecting Assessments

The GOTMD assessment will be implemented beginning July 1, 2018 and will continue for ten (10) years through June 30, 2028. The Bureau will be responsible for collecting the assessment on a monthly basis (including any delinquencies, penalties and interest) from each assessed lodging business located in their respective jurisdictions. The Bureau and Cities shall take all reasonable efforts to collect the assessments from each lodging business within the GOTMD.

1. The Bureau and/or Cities shall make all reasonable efforts to enter into an agreement with all Hosting Platforms to collect and remit the TMD assessment on behalf of assessed businesses using the hosting platform.

2. An assessed business, using a Hosting Platform, reserves the right to have the Hosting Platform collect the assessment based on information supplied by the assessed business, and remit such assessment to the assessed business for ultimate reporting and remittance by the assessed business to the Bureau and/or Cities. In such case, the Hosting Platform, upon request from The Bureau and/or Cities, and not more than once per consecutive twelve-month period, shall provide the Bureau and/or Cities with copies of documentation related to assessed business which have provided acknowledgement of its obligation to collect all assessments owed on a gross short-term room rental revenue and to remit and report any assessments collected directly to the Bureau and/or Cities.

VIII. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the GOTMD as defined in Streets and Highways Code §36614.5. The City Council has determined that Greater Ontario Convention and Visitors Bureau will continue to serve as the Owners' Association for the GOTMD.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose.[7] The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the Bureau board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

C. Annual Report

The Bureau shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

[7] Streets and Highways Code section 36612

APPENDIX 1 – LAW

STREETS AND HIGHWAYS CODE
Division 18. Parking
Part 7. Property and Business Improvement District Law of 1994

Cal Sts & Hy Code Div. 18, Pt. 7 Note (2015)

*** This document is current through the 2015 Supplement ***
(All 2014 legislation)

36600. Citation of part

This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

36601. Legislative findings and declarations

The Legislature finds and declares all of the following:
(a) Businesses located and operating within business districts in some of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
(b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
(c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
(d) Assessments levied for the purpose of conferring special benefit upon the real property or businesses in a business district are not taxes for the general benefit of a city, even if property or persons not assessed receive incidental or collateral effects that benefit them.
(e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
(1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
(2) Job creation.
(3) Business attraction.
(4) Business retention.
(5) Economic growth.
(6) New investments.
(f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.
(g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.
(h) The act amending this section is intended to provide the Legislature's guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.
(1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.

(2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed. Therefore, for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

36606. "Activities"

"Activities" means, but is not limited to, all of the following that benefit businesses or real property in the district:
(a) Promotion of public events.
(b) Furnishing of music in any public place.
(c) Promotion of tourism within the district.
(d) Marketing and economic development, including retail retention and recruitment.
(e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
(f) Other services provided for the purpose of conferring special benefit upon assessed businesses and real property located in the district.

36606.5. "Assessment"

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. "Business"

"Business" means all types of businesses and includes financial institutions and professions.

36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. "Clerk"

"Clerk" means the clerk of the legislative body.

36609.5. "General benefit"

"General benefit" means, for purposes of a property-based district, any benefit that is not a "special benefit" as defined in Section 36615.5.

36610. "Improvement"

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:
(a) Parking facilities.
(b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
(c) Trash receptacles and public restrooms.
(d) Lighting and heating facilities.
(e) Decorations.
(f) Parks.
(g) Fountains.
(h) Planting areas.
(i) Closing, opening, widening, or narrowing of existing streets.
(j) Facilities or equipment, or both, to enhance security of persons and property within the area.
(k) Ramps, sidewalks, plazas, and pedestrian malls.
(l) Rehabilitation or removal of existing structures.

36611. "Management district plan"; "Plan"

"Management district plan" or "plan" means a proposal as defined in Section 36622.

36612. "Owners' Association"

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and

with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), for all records relating to activities of the district.

36614. "Property"

"Property" means real property situated within a district.

36614.5. "Property and business improvement district"; "District"

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

36614.6. "Property-based assessment"

"Property-based assessment" means any assessment made pursuant to this part upon real property.

36614.7. "Property-based district"

"Property-based district" means any district in which a city levies a property-based assessment.

36615. "Property owner"; "Business owner"; "Owner"

"Property owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. "Business owner" means any person recognized by the city as the owner of the business. "Owner" means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. "Special benefit"

"Special benefit" means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

36616. "Tenant"

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

36617. Alternative method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
(1) A map showing the boundaries of the district.
(2) Information specifying where the complete management district plan can be obtained.
(3) Information specifying that the complete management district plan shall be furnished upon request.
(c) The resolution of intention described in subdivision (a) shall contain all of the following:
(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:
(a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
(b) The name of the proposed district.
(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
(d) The improvements, maintenance, and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a statement that the

same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.
(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.
(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.
(g) The time and manner of collecting the assessments.
(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.
(i) The proposed time for implementation and completion of the management district plan.
(j) Any proposed rules and regulations to be applicable to the district.
(k) **(1)** A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.
(l) In a property-based district, the total amount of all special benefits to be conferred upon the properties located within the property-based district.
(m) In a property-based district, the total amount of general benefits, if any.
(n) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.
(o) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.
(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of

businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in Section 36625.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625 or Section 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

36631. Time and manner of collection of assessment; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.
(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention; Modification of improvements and activities by adoption of resolution after public hearing

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:
(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.
(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the

issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.
(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.
(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.
(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:
(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
(2) The improvements, maintenance, and activities to be provided for that fiscal year.
(3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.
(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.
(5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
(6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.
(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.
The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements and activitites

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.
(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assessees may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestab-lishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

BUSINESS NAME	ADDRESS	CITY	STATE	ZIP
American Inn	755 North Euclid Ave.	Ontario	CA	91762
America's Best Value Inn & Suites	2425 South Archibald Ave.	Ontario	CA	91761
Azure Hotel & Suites~~Ayres Hotel & Suites Airport~~	1945 East Holt Blvd.	Ontario	CA	91764
Ayres Suites at Ontario Mills~~Ayres Suites Ontario at the Mills Mall~~	4370 East Mills Circle	Ontario	CA	91764
Best Inn Ontario	1045 West Mission Blvd.	Ontario	CA	91762
Best Western InnSuites Hotel & Suites	3400 Shelby Ave.	Ontario	CA	91764
Best Western Plus Ontario Airport	209 North Vineyard Ave.	Ontario	CA	91764
~~Bright Star Motel~~	~~1530 West Mission Blvd.~~	~~Ontario~~	~~CA~~	~~91762~~
~~Capri Motel~~	~~1217 East Holt Blvd.~~	~~Ontario~~	~~CA~~	~~91761~~
Comfort Suites	1811 East Holt Blvd.	Ontario	CA	91764
County Inn & Suites by Carlson at Ontario Mills	4674 East Ontario Mills Pkwy.	Ontario	CA	91764
County Inn Ontario	2359 South Grove Ave.	Ontario	CA	91761
Days Inn Ontario	1405 East Fourth St.	Ontario	CA	91764
Doubletree Ontario Airport	222 N. Vineyard Ave.	Ontario	CA	91764
~~Econo Inn~~	~~2301 South Euclid Ave.~~	~~Ontario~~	~~CA~~	~~91764~~
~~Econo Inn~~	~~724 South San Antonio Ave.~~	~~Ontario~~	~~CA~~	~~91762~~
EconoLodge	1655 East 4th St.	Ontario	CA	91764
Embassy Suites	3663 East Guasti Rd.	Ontario	CA	91761
Extended Stay America	3990 East Inland Blvd.	Ontario	CA	91764
Fairfield Inn by Marriott Ontario	3201 East Center Lake Dr.	Ontario	CA	91764
Golden Bear Inn	661 West Holt Blvd.	Ontario	CA	91762
Hampton Inn & Suites	4500 East Mills Circle	Ontario	CA	91764
Holiday Inn Express Hotel & Suites	2280 South Haven Ave.	Ontario	CA	91761
Holiday Inn - Ontario Convention Center~~Holiday Inn Ontario Airport~~	2155 East Convention Center Way	Ontario	CA	91764
Hyatt Place Ontario Mills	4760 East Mills Circle	Ontario	CA	91764
Knights Inn at Ontario Airport	1120 East Holt Blvd.	Ontario	CA	91764
La Quinta Inn & Suites	3555 Inland Empire Blvd.	Ontario	CA	91764
Mission Inn	1514 West Mission Blvd.	Ontario	CA	91762
Motel 6	1560 East 4th St.	Ontario	CA	91764
Motel 6 Ontario Vineyard Avenue	231 North Vineyard Ave.	Ontario	CA	91764
~~Mountain Inn~~	~~2289 South Mountain Ave.~~	~~Ontario~~	~~CA~~	~~91762~~
Ontario ~~Airpirt~~Airport Inn	1801 East G St.	Ontario	CA	91764
Ontario Airport Hotel	700 North Haven Ave.	Ontario	CA	91764
Ontario Grand Inn & Suites Ontario-Rancho Cucamonga	3333 Shelby Dr.	Ontario	CA	91764
~~Ontario Motor Inn~~	~~1522 West Mission Blvd.~~	~~Ontario~~	~~CA~~	~~91762~~

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Pepper Tree Motel	1241 East Holt Blvd.	Ontario	CA	91761
Quality Inn Ontario Airport	514 North Vineyard Ave.	Ontario	CA	91764
Radisson Ontario Airport	2200 East Holt Blvd.	Ontario	CA	91764
Ramada Inn	1841 East G St.	Ontario	CA	91764
Rancho Motel	1440 West Mission Blvd.	Ontario	CA	91762
Red Carpet Motel	1117 North Baker Ave.	Ontario	CA	91764
Red Lion Suites	204 North Vineyard Ave.	Ontario	CA	91764
Red Roof Inn	1818 East Holt Ave.	Ontario	CA	91764
Residence Inn	2025 East Convention Center Way	Ontario	CA	91764
Rodeway Inn	4075 East Guasti Rd.	Ontario	CA	91761
~~Sands Motel~~	~~1240 West Mission Blvd.~~	~~Ontario~~	~~CA~~	~~91762~~
Sheraton Ontario Airport	429 North Vineyard Ave.	Ontario	CA	91764
Star Motel	1250 West Mission Blvd.	Ontario	CA	91762
Super 8 Motel-Airport South	2441 South Euclid Ave.	Ontario	CA	91764
Travelodge	1150 Grove Ave.	Ontario	CA	91764
West Coast Inn	1211 North Grove Ave.	Ontario	CA	91764
Aloft Ontario-Rancho Cucamonga	10480 Fourth St.	Rancho Cucamonga	CA	91730
Best Western Heritage Inn	8179 Spruce Ave.	Rancho Cucamonga	CA	91730
Courtyard by Marriott Ranch Cucamonga	11525 Mission Vista Dr.	Rancho Cucamonga	CA	91730
Four Points Ranch Cucamonga	11960 Foothill Blvd.	Rancho Cucamonga	CA	91730
Hilton Garden Inn RC	11481 Mission Vista Dr.	Rancho Cucamonga	CA	91730
Holiday Inn Express Hotel & Suites	9589 Milliken Ave.	Rancho Cucamonga	CA	91730
Homewood Suites by Hilton Ontario-Rancho Cucamonga	11433 Mission Vista Dr.	Rancho Cucamonga	CA	91730
TownePlace Suites by Marriott	9625 Milliken Ave.	Rancho Cucamonga	CA	91730
Folk Inn Ontario Airport	204 N. Vineyard Avenue	Ontario	CA	91
Four Points Rancho Cucamonga	11960 Foothill Blvd.	Rancho Cucamonga	CA	91730
Spring Hill Suites	3595 E. Guasti Road	Ontario	CA	91761
Residence Inn-Rancho Cucamonga	9299 Haven Avenue	Rancho Cucamonga	CA	91730

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APPENDIX 3 – BENEFIT STUDY

Greater Ontario Destination Marketing Funding Analysis

January 2016

TOURISM ECONOMICS

AN OXFORD ECONOMICS COMPANY

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Executive summary

Executive summary

Overview

The Greater Ontario Convention and Visitors Bureau engaged Tourism Economics to conduct an independent analysis of the competitiveness of the Greater Ontario Tourism Marketing District budget relative to other destinations. Below are the key findings:

1. Destination marketing is fundamental to broader economic development.

Destination marketing plays an integral and indispensable role in the competitiveness of the local and national visitor economy, and acts as a catalyst for broader economic development.

2. Greater Ontario is competing with key regional destinations and is 'holding ground' when measured by room demand, but lags in other metrics.

Room demand grew 4.7% per year and revenues 8.1% per year since 2010. With almost no change in room inventory, the occupancy rate rose 10 percentage points to nearly 71% in 2014, and further to 73.6% in 2015. Prices have also increased, although at a modest pace of 2.1% per year from 2010 to 2014.

Relative to competing regional destinations, growth in room demand has kept pace since 2010, however prices and room revenues in Greater Ontario are lagging. Most key regional competitors experienced demand growth greater than 6% per year. And average revenue growth of more than 10% per year. While the change in occupancy since 2010 was robust , the occupancy rate was still lower than in competing destinations in the region as of 2014.

3. Many destinations in California have formed Tourism Marketing Districts (TMDs) to ensure reliable funding.

The recently formed TMD in Greater Ontario is becoming an increasingly important source of marketing funding and is key to effectively competing with other regional destinations. Nearly 100 other destinations in California have formed similar funding mechanisms.

4. The overall GOTMD budget is competitive compared to other destinations.

The amount of funding dedicated to marketing Greater Ontario as a destination is small in absolute terms compared to much larger destinations, such as Los Angeles and San Diego. Adjusted for the size of the destination, the GOTMD budget compares more favorably, but is still relatively small and may be undermining Greater Ontario's ability to compete.

5. GOTMD projects are diverse and benefits go to TMD hotels.

Recent projects have included public relations and marketing campaigns, key events such as the Huck Finn music festival and Route 66 Cruisin' Reunion, the GO CVB website, and a growing social media presence.

With all hotels in Ontario and Rancho Cucamonga in the TMD, 100% of TMD benefits accrue to TMD hotels. All website referrals and all room-nights generated by CVB sales staff are for TMD hotels.

1. The vital role of destination promotion

The vital role of destination promotion

Destination marketing plays an integral and indispensable role in the competitiveness of the local and national visitor economy by addressing its unique challenges.

Challenge #1: The visitor economy is fragmented

The visitor economy is diverse with benefits accruing across various industries (e.g. hotels, restaurants, retail stores, transportation, performance venues and other attractions), and in many cases, these establishments are operated as small businesses that lack the capacity to conduct certain types of marketing. Moreover, certain benefits accrue across the economy rather than to just an individual business.

Because a visitor's spending is spread across businesses, any single business may not capture sufficient share of a visitor's spending to justify marketing to attract visitors to a destination. For example, an individual hotel could market the attractiveness of a destination, but it would only benefit from those additional visitors who not only choose the destination, but also choose that particular hotel; and the hotel would only benefit directly from the visitor's spending at the hotel. In other words, at the level of an individual business, the returns on independent marketing to attract visitors to a destination can be less compelling. However, when viewed at the level of the destination, there is a more direct connection. The destination captures a substantial dollar amount per visitor, and in aggregate there are compelling returns on effective destination marketing.

Solution: destination promotion provides the scope and strategic vision supporting a wide array of individual businesses.

Destination promotion organizations play a role furthering the strategic potential of the visitor economy. Destination marketing organizations ("DMOs") can take a long term view of the development of the destination, and pursue tactics to help develop a visitor economy that better fits the goals of local residents and businesses. For example, many destinations have a mix of peak, shoulder, and low season periods. DMOs take steps to build shoulder season and low season demand, and help fill slower days of the week, supporting a more stable base of spending and helping ongoing operations achieve a "break even" level of profitability. Similarly, DMOs can play a role helping to find solutions that balance the development of the visitor economy with the constraints and goals of a given destination, such as fostering the development of geographic areas with greater capacity for growth.

The vital role of destination promotion (continued)

The fundamental motivation driving a visit is not usually the offerings of a single business—instead it is the destination.

Challenge #2: The primary motivator of a trip is usually the experience of a destination, extending beyond the offerings marketed by a single business

The fundamental motivation driving a visit to a given destination is frequently not the offerings of a single business—instead it is the destination, including a range of attractions and the overall experience of a place. This experience comprises a visitor's interaction with, and patronage of, numerous businesses and local experiences: hotels and other accommodations; restaurants; shopping and galleries; conferences; performances and other events; family activities; sports and other recreation; and cultural sites and attractions.

Marketing efforts that focus on only one sub-sector of the visitor market, such as communicating the offering of a specific hotel or other business, do not also adequately address the core motivation for potential visitors. Through coordinated destination promotion, local businesses are able to represent the destination collectively, and in doing so drive demand for all segments of the visitor economy. Stand-alone marketing efforts would almost certainly be less effective than a collective destination marketing campaign.

Solution: destination promotion articulates the brand message that is consistent with consumer motivations

The same holds true in the case of group travel, such as corporate meetings and trade conventions, for which event sponsors seek a destination that meets multiple success criteria. While the offerings of an individual headquarter hotel or convention facility are critically important, in many cases the merits of a destination overall are being considered relative to other potential options. In such situations, a coordinated strategy—from initial marketing and touch points that build familiarity, to the dedicated sales team that lines up the destination's best offer of facilities, amenities, services, and experience—augments and rises beyond the message of a single operation.

The vital role of destination promotion (continued)

The scale of collaborative destination marketing is more effective than what individual businesses could accomplish.

Challenge #3: Effective marketing requires scale to reach potential visitors across multiple markets

Effective destination marketing requires significant and consistent funding and long term planning with the aim of gaining a sufficient "share of voice" to be heard and make an impact. Whether in the form of social media advertising, public relations efforts, or group sales, scale produces efficiencies that maximize the share of funding that goes to actual marketing and advertising, drives down per unit advertising costs, and enables higher impact, more specialized efforts.

As a result, the larger scale of collaborative destination marketing is more effective than what individual businesses would accomplish. Simply put, the whole of destination marketing is greater than the sum of individual parts.

Solution: destination promotion pools resources to provide the economies of scale and marketing infrastructure required to generate impact

One of the benefits of coordinated marketing facilitated by a DMO is the ability to have a stable organization and funding base to support destination marketing. As a result, DMOs are able to efficiently leverage the brand, infrastructure and relationships that have been built over time.

For example, DMOs:

- Conduct marketing that leverages a base level of awareness of the destination which has already been established with some target customers, allowing annual marketing spend to be more effective at activating and reinforcing key messages;
- Use existing infrastructure, such as websites and publications, that are updated on a recurring basis;
- Employ a staff with established relationships with local tourism-sector businesses and marketing service providers; and,
- Support market research, such as visitor profile studies, that help individual businesses better target market opportunities, but which would likely not be economical for individual businesses to support independently.

Through these channels, destination promotion expands the visitor economy and drives employment, income generation, and local tax revenues, and helps to build the types of opportunities that are a critical part of economic development.

Destination promotion helps drive economic development

Destination promotion supports the visitor economy, but it also acts as a catalyst of broader economic development.

In recent research, Tourism Economics / Oxford Economics identified four primary channels through which destination promotion drives broader economic development and growth.

1) Raising the destination profile

Destination promotion builds awareness, familiarity, and relationships in commercial, institutional and individual networks that are critical in attracting investment.

"We are learning a lot from Visit California by how they brand California and how to take their model and apply it to economic development."

Brook Taylor
Deputy Director
Governor's Office of Business and Economic Development (GO-Biz)

2) Building transport networks

By developing the visitor economy, destination promotion supports transportation infrastructure, providing greater accessibility and supply logistics that are important in attracting investment in other sectors.

"Air service is profoundly important to corporate investment and location decisions... This is one of tourism's most significant contributions since the levels of air service at New Orleans far exceed what local demand could support."

Stephen Moret
Secretary
Louisiana Economic Development

3) Raising the quality of life

Visitor spending helps support a broader and higher quality set of local amenities than an area could otherwise sustain. The cultural, entertainment, culinary, and retail attractions that visitors support make a place more attractive to investors.

"Traveler attractions are the same reason that CEOs choose a place."

Jeff Malehorn
President & CEO, World Business Chicago

4) Attracting strategic events and industries

By securing meetings and conventions, DMOs attract the very prospects that economic development agencies target. Not only do these events create valuable exposure among business decision makers, they create direct opportunities for economic development agencies to deepen connections with attendees.

"Economic clusters and conventions have become synergistic"

Tom Clark
Metro Denver Economic Development Corporation

Oxford Economics (2014, November) "Destination Promotion: An Engine of Economic Development: How destination promotion drives economic development." Produced in connection with Destination & Travel Foundation.
Link to http://www.oxfordeconomics.com/engine

Destination promotion helps drive economic development

The four channels of catalytic impacts generate benefits that extend beyond direct effects of driving visitation.

Destination marketing supports economic development through four catalytic channels, extending its impact well beyond the effects of visitor spending. Destination marketing raises the profile of a city among potential investors, builds transport accessibility, raises the quality of life for residents, and attracts major events that build awareness. Raising the destination profile can also help to attract businesses in strategic industries that drive growth.

As a result, cities that succeed as destinations are more likely to succeed in broader economic terms.



Oxford Economics (2014, November) "Destination Promotion: An Engine of Economic Development: How destination promotion drives economic development." Produced in connection with Destination & Travel Foundation.
Link to http://www.oxfordeconomics.com/engine

Case study 1: Colorado cuts state funding

Within two years, Colorado lost 30% of its U.S. visitor market share.

Changes in promotion budgets in other U.S. destinations provide case study examples of what has happened when destination marketing spending is increased or reduced. We have summarized several of these case studies in this section, beginning with Colorado, which represents a powerful example of the impact of a dramatic reduction in destination marketing spending:

- Prior to 1993, the Colorado Tourism Board (CTB) had a $12 million marketing budget, funded by a 0.2% tax on most tourism spend.
- Within two years of repealing its tourism funding in 1993, Colorado lost 30% of its US visitor market share, which translated into the equivalent of over $1.4 billion annually in lost revenues. By the late 1990s, this had escalated to $2.4 billion a year.
- After having moved from 14th to 1st position in the states' summer resorts category, Colorado slipped to 17th in 1994. It also shifted back to being more of a regional drive destination opposed to being a national fly-in venue and attracting fewer international visitors.
- The subsequent establishment of the Colorado Travel & Tourism Authority, which was an attempt to market the state with private sector funding in co-operation with the CTB, failed. This was attributed to the fact that private sector companies had separate priorities.
- The new Colorado Tourism Office opened with a $5 million budget, and in 2003 approved funding for tourism promotion increased to $9 million. A campaign conducted from October 2003 through December 2004 resulted in 5.3 million incremental visits, representing 17% of total visitation to the state. In 2004, this generated $1.4 billion of additional spend and $89.5 million in state and local taxes.
- These estimates are equivalent to an implied visitor spending return-on-investment (ROI) per marketing dollar of $140 (i.e. each dollar change in marketing spending resulted in a change in visitor spending of $140).

Case study 2: San Diego TMD funding frozen by litigation

San Diego market share declined when tourism marketing was curtailed in 2013.

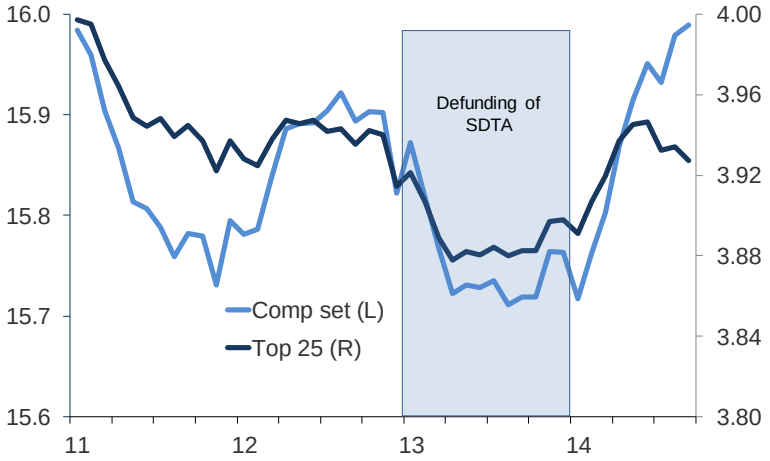
A series of events in San Diego resulted in a temporary reduction in tourism marketing spending, providing a case study of short-term impacts:

- The San Diego Tourism Marketing District (SDTMD) was established in 2008 with the support of the lodging sector to provide stable funding for marketing and promotion based on a hotel room assessment. For example, in FY2012, the SDTMD allocated more than $25 million in assessment funds.
- As a result of litigation-related risks, funds intended for the SDTMD were held in limbo through much of calendar year 2013, curtailing its funding to local tourism marketing groups.
- The San Diego Tourism Authority (SDTA), the region's primary destination marketing organization, was one of the groups impacted. SDTA depends largely on SDTMD funding and was forced to cancel its important spring 2013 advertising campaign.
- Later, as the funding challenges persisted, SDTA laid off 40% of its staff in July 2013 and prepared to function as a bare-bones operation with only 15% of the funding that it previously received from SDTDM.
- Ultimately, in late-November 2013, the local city council released a portion of the funds previously being withheld and the SDTA restored its advertising in January 2014. As a result, the cutbacks in destination marketing were largely contained in calendar year 2013, and San Diego tourism marketing resumed strongly in 2014.

- The impact of the reduced funding was reflected in the performance of the San Diego hotel industry, as room demand leveled off in 2013, and occupancy rates and price levels increased more slowly than in competing markets. Overall, the city's performance trailed other regional and national destinations that had maintained funding levels and marketing programs. Further, occupancy tax revenues that would have been generated during this time were lost.
- The graph below shows San Diego's reduced hotel room demand market share relative to a competitive set (Los Angeles, San Francisco, Anaheim, Phoenix and Seattle) and top 25 US metro markets during the period of reduced funding, and subsequent recovery when marketing was restored.

San Diego room demand market share

San Diego's % of total room nights, relative to...



Sources: STR, Tourism Economics

Case study 3: Pure Michigan success

Michigan successfully invested in destination marketing as part of a strategy to ignite growth.

"Pure Michigan" is a nationally recognized advertising campaign. Less appreciated are the important decisions the state took during a period of economic recession to expand the campaign as an investment in future growth.

Bill Siegel, CEO of Longwoods, recently summarized this success story in a widely cited paper, "The Power of Destination Marketing" (link). The following highlights key points:

- The "Pure Michigan" campaign had its fledgling start in 2006 as a regional campaign in an environment of relatively low funding. In preceding years, Michigan's state tourism budget had declined, falling to as little as $7.9 million in FY2005 according to US Travel data. For several years, as the campaign ran in regional markets research demonstrated that it was building equity in the marketplace, improving Michigan's image and generating positive financial returns.
- In 2009, with the national economy still in recession, and Michigan's manufacturing base hit particularly hard, the state legislature saw tourism as a potential growth opportunity, and approved a one-time doubling of the Travel Michigan budget to $28 million. This allowed the state to promote itself nationally for the first time, and "Pure Michigan" was well-suited to the opportunity.
- In its first year, the national campaign dramatically increased unaided awareness of Michigan as a place in the Midwest US "you would really enjoy visiting", and three out of ten national travelers were aware of the campaign. The campaign was recognized by Forbes as among the 10 all-time best travel campaigns, and Michigan moved to 2nd place among competitors after the campaign, from 9th place before the campaign.
- The summer 2009 campaign has been estimated to have generated almost two million additional trips to Michigan. As a result, based on a $12.2 million media budget, the campaign is estimated to have generated $588 million of incremental visitor spending and $41.0 million of state taxes, equivalent to $3.36 of state taxes per ad dollar.
- In total from 2006 to 2014, Longwoods estimated that "Pure Michigan" results generated 22.4 million out-of-state trips to Michigan and $6.6 billion of visitor spending at Michigan businesses.

Michigan built on the initial success by maintaining annual funding slightly ahead of $30 million. Since then, "Pure Michigan" has become the singular brand for Michigan, with the state expanding its use across multiple lines of business to promote state objectives, such as economic development.

Destination marketing ROI in other markets

Many state and local DMOs conduct periodic assessments of marketing effectiveness. There are several goals of these studies, including understanding how specific marketing campaigns are perceived by households, how effective the campaigns are in having an impact on households' intent to travel to a given destination, and which target markets are showing differing level of responsiveness to marketing. Frequently these studies include a specific analysis of the ROI of marketing spending in the form of a quantitative assessment of the level of incremental visitor spending and tax revenues that are attributable to destination marketing.

These studies use a variety of methods, and are measuring the impact of a range of different campaigns across different situations. For example, a specific study may look at incremental visitors attracted by a state-level marketing campaign conducted by a state that attracts travelers from a range of national markets, while another study may focus on the results of a more targeted regional campaign carried out by a city-level DMO. While the results of a specific study pertain most directly to the situation that was analyzed, and the corresponding assumptions, it is appropriate to consider broader inferences from the research.

We analyzed recent studies that included an estimate of the incremental visitor spending attributable to advertising campaign spending. For example, in a fairly typical approach, a study would:

- use a survey to analyze the effect of a specific advertising campaign on households' travel to a given destination, such as by analyzing the impact on actual travel among those that had observed the advertising or by analyzing the impact on households' intentions to travel;
- project that effect to the broader set of households in the marketing area to estimate the number of incremental visits attributable to the campaign;
- apply typical levels of spending per visitor to estimate incremental visitor spending; and,
- compare incremental visitor spending to the level of advertising spending to estimate the ROI.

We summarized the estimates of incremental visitor spending per dollar of advertising campaign spending from these studies in the table on the following page.

Destination marketing ROI in other markets

Estimates of incremental visitor spending per dollar of advertising campaign spend from the set of studies we analyzed is summarized in the adjacent table, supporting the following observations:

- The results range from as low as $12 for an analysis conducted for Syracuse, NY to as high as $326 for the average of several analyses conducted for California.
- For state campaigns, visitor spending gains per dollar of advertising spending typically range between $100 and $200.
- Overall, we observe that recent marketing campaigns by destination marketing organizations at the state level have generated approximately $148 of incremental visitor spending per dollar of advertising spending.

Marketing ROI Matrix

Region	Timing	Visitor spending per ad dollar
States		
California	Average 2009 to 2013	$326
Arizona	Average 2007, '11, '12, '15	221
Georgia	Average 2011 and 2012	211
Colorado	2012	200
Florida	2011	177
Maryland	2012	160
Wyoming	Average 2012, '13, '14	156
Kentucky	2014	151
Missouri	2013	131
North Dakota	Average 2010, '12, '14	101
Utah	Average 2010, '11, '13	83
Virginia	2006	71
Michigan	2009/10	54
New Mexico	2012	29
Metros and regions		
Philadelphia, PA	2009/10	$100
Branson, MO	2012	79
Kansas City, MO	2013	65
Springfield, MO	2011	61
Finger Lakes Wine Country, NY	2012	44
Washington, DC	2013	27
San Diego, CA	2013	19
Syracuse, NY	2008	12
Average of states		**$148**
Average of metros and regions		$51

Sources: Local studies compiled by Tourism Economics

2. Greater Ontario recent performance

Room demand is expanding in Greater Ontario

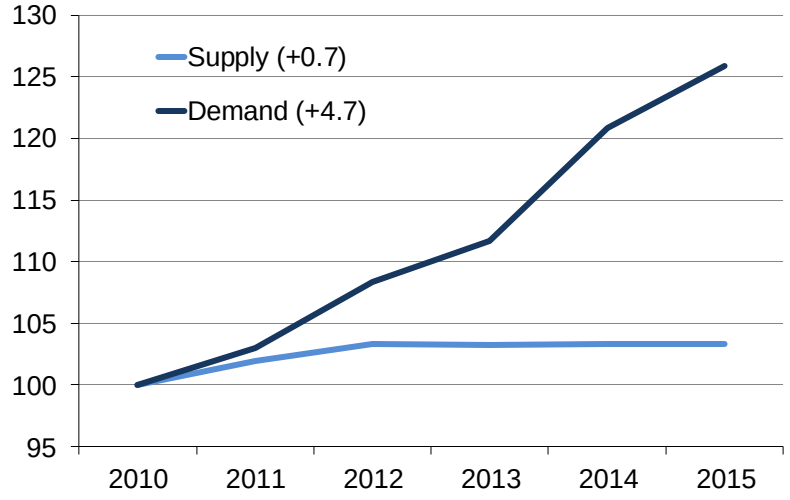
Rising prices are also driving revenue growth since 2014.

Room demand in Greater Ontario expanded faster than supply since 2010. Through 2015, demand has increased at a rate of nearly 5% per year to an annual total of 1.4 million room-nights. The pace of demand growth has accelerated especially in the last two years. Supply growth has been essentially flat over the same time period, expanding 0.7% per year. In 2015 the total inventory of rooms in Greater Ontario amounted to just over 5,300 rooms on 47 properties.

Total revenue growth has been robust averaging 8.1% per year since 2010. Both expanding demand and rising prices have made meaningful contributions to revenue growth. From 2011 to 2013 revenues were primarily driven by demand growth while price growth was restrained. Since 2014 increases in ADR have made more of a contribution to revenue growth.

Demand is outpacing supply

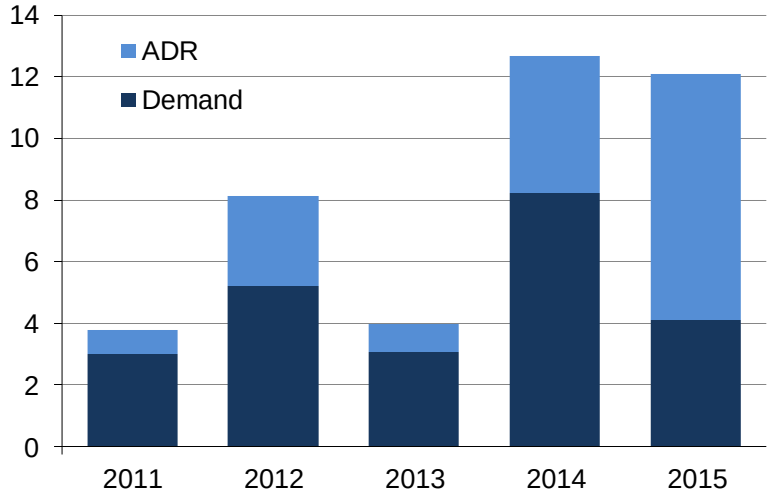
Indexed, 2010=100, avg % change in parentheses



Sources: STR, Tourism Economcs

Both demand and price drive revenues

Contribution to total revenues % change by component



Sources: STR, Tourism Economcs

Greater Ontario needs to compete to keep pace with regional destinations

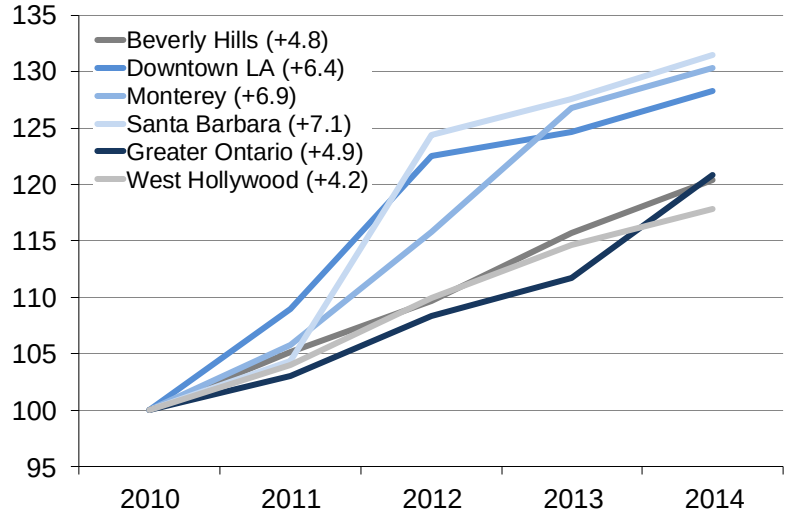
Demand growth in Greater Ontario is keeping pace with regional competitors, while revenues lag.

Downtown Los Angeles and Santa Barbara are leading growth in room demand among key competitors with data available through 2014. However, with average annual growth of 4.9% during this period Greater Ontario is keeping pace with some competitors and could be described as being in the "middle of the pack."

Although total revenues expanded through 2014, competing destinations grew faster. During this period revenues increased 7.1% to $106 million, a level 30% more than in 2010. Revenue growth in competing destinations generally exceeded 10% per year. Lower price levels and more restrained price growth continue to weigh on total revenues in Greater Ontario.

Demand is keeping pace with competitors...

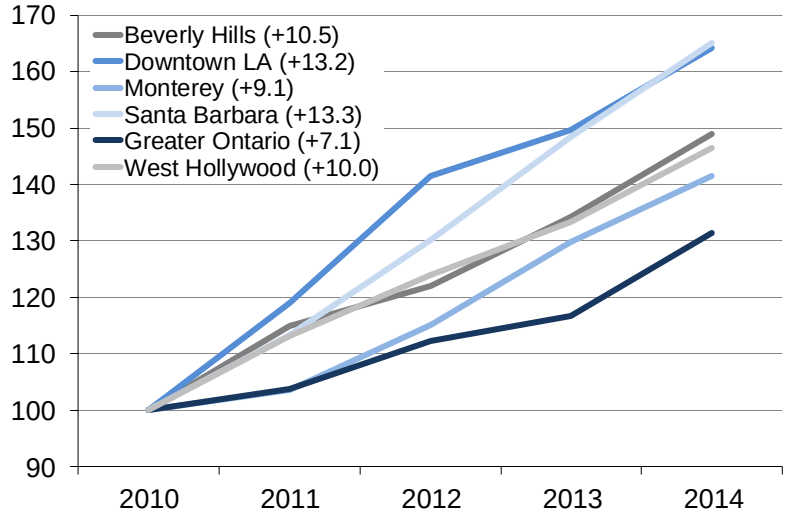
Room-nights indexed, 2010=100, avg % change in parentheses



Sources: STR, Tourism Economics

...But lower prices restrain revenue growth

Room revenues indexed, 2010=100, avg % change in parentheses



Sources: STR, Tourism Economics

Occupancy is rising but prices are lagging

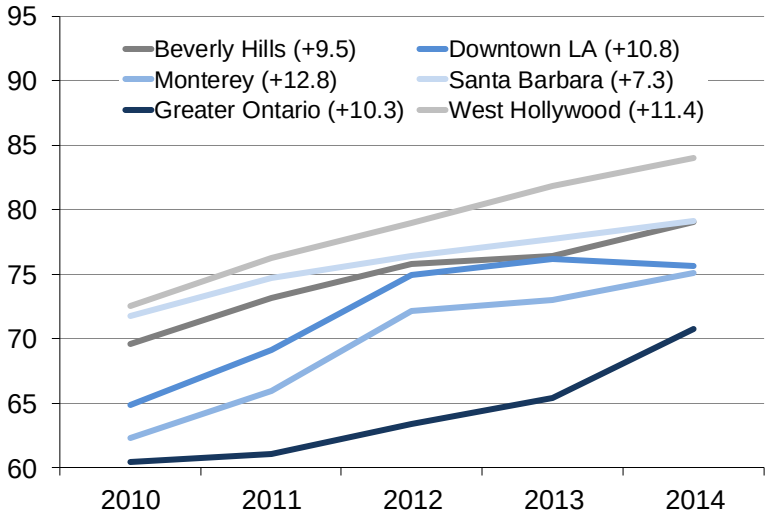
Occupancy reached nearly 71% and average room rates stood at $77 in 2014.

Occupancy in Greater Ontario stood at just under 71% at the end of 2014, lower than in competing destinations. However the four year change in the occupancy rate shows Greater Ontario in a more favorable light. Occupancy increased more than 10 percentage points, on par with key competitors.

Rising occupancy usually drives prices, but ADR growth in Greater Ontario has been relatively restrained at 2.1% per year through 2014. In level terms, prices in Greater Ontario are significantly lower than in regional competitors. At the end of 2014, average room rates were tracking at $77 per night; all other markets in the competitive set have average prices greater than $100 per night.

Occupancy rate

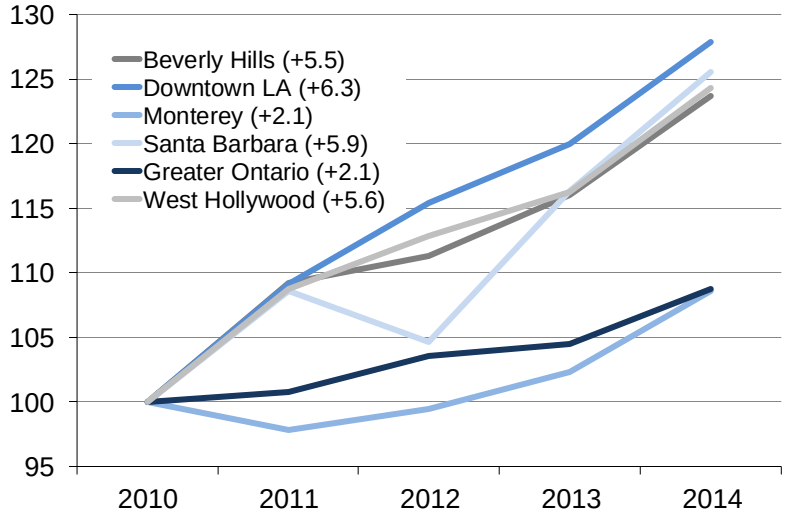
%, 4-year change in occupancy ppts in parentheses



Sources: STR, Tourism Economics

Average daily rate

Indexed, 2010=100



Sources: STR, Tourism Economics

Opportunities at Ontario International Airport

After a long decline in passenger volume, recent management changes at the airport offer opportunity for growth.

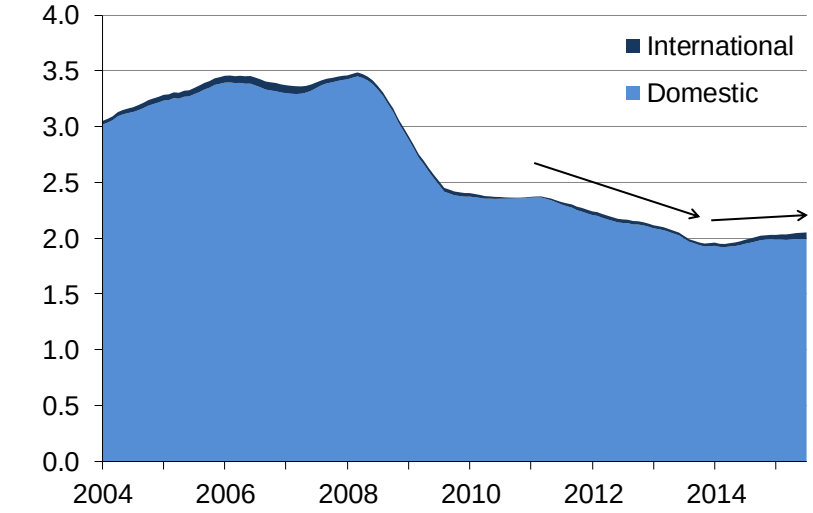
Passenger volume through Ontario International Airport declined more than 40% from 2007 to 2014, from 3.5 million to 2.0 million.

Volume leveled off in 2015 and is on pace to finish the year, once full year data are available, with a slight increase from 2014.

Ownership and management changes are underway at the airport. Los Angeles World Airports (LAWA) will transfer ownership and control to the City of Ontario by mid-2016. More local control could result in greater investment in and marketing of the airport. City ownership could be an opportunity to drive visitor volume through the airport and to Greater Ontario hotels.

Volume at Ontario Int'l Airport is leveling off

Arrivals, 12-month moving sum, millions



Sources: Bureau of Transportation Statistics, Tourism Economics

Room to grow the leisure market

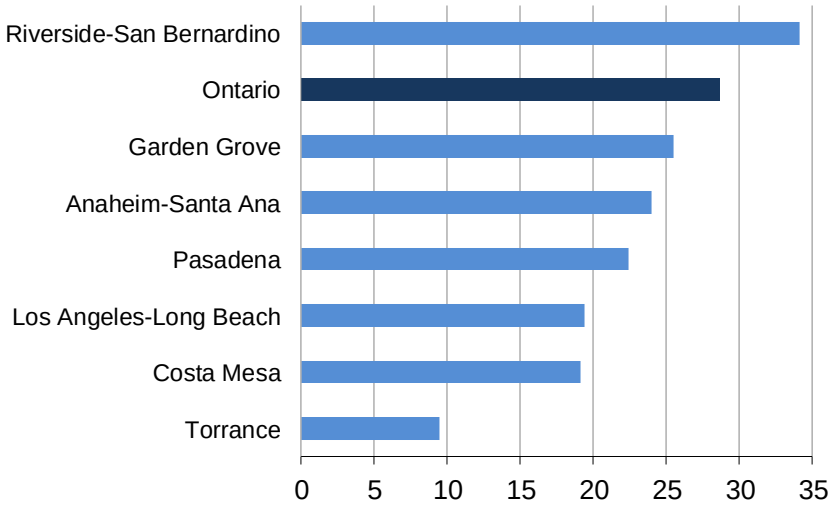
Expanding the leisure market is an opportunity to boost hotel revenues in Greater Ontario.

Greater Ontario attracts a relatively high share of group demand, which tends to be made up of business visitors to meetings, conferences, and conventions. Among a group of regional destinations, Ontario ranked second with group demand accounting for nearly 30% of the total. However, this implies a relatively lower share of leisure demand and an opportunity to generate more business in that segment of the market.

In recent years, non-group prices have accelerated much faster than group prices. Growing the leisure segment of the market, at higher prices, would boost overall revenues at Greater Ontario hotels. The average group ADR in 2015 was $74, compared with an overall rate of $82 per night.

Group share of total demand

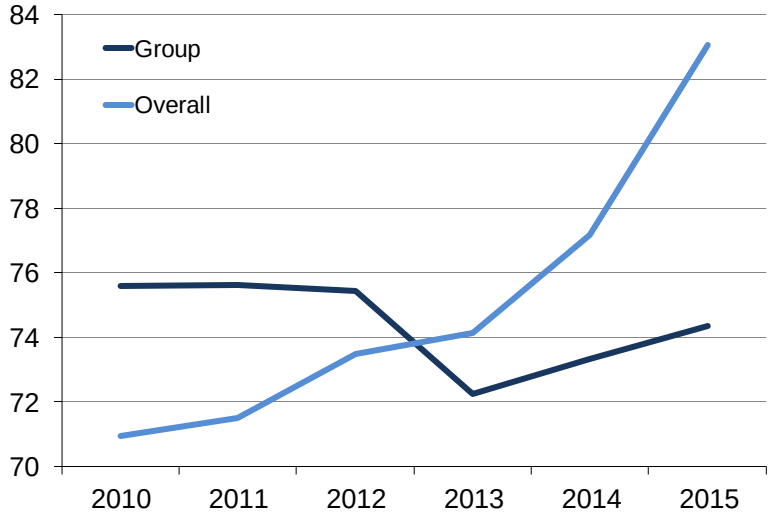
2015, %



Source: STR, Tourism Economics

Group prices are lagging

Average daily rate, $ per room-night



Sources: STR, Tourism Economics

3. Benchmark analysis of marketing funding

Methodology

A benchmark analysis was conducted to assess how Greater Ontario TMD funding compares to key regional competitors.

Approach

To evaluate the level of destination marketing funding of the Greater Ontario TMD, we conducted a benchmark analysis relative to other destinations. This analysis helped to quantify the level of destination marketing, including funding from TMDs and CVBs, that other destinations with broadly similar characteristics are carrying out on an ongoing basis.

This benchmark analysis consisted of several steps in which we:

1. Identify a set of competing destinations;
2. Calculate comparative measures such as destination marketing organization (DMO) funding per hotel room; and
3. Benchmark current Greater Ontario TMD funding to its competitors.

The TMD model is expanding

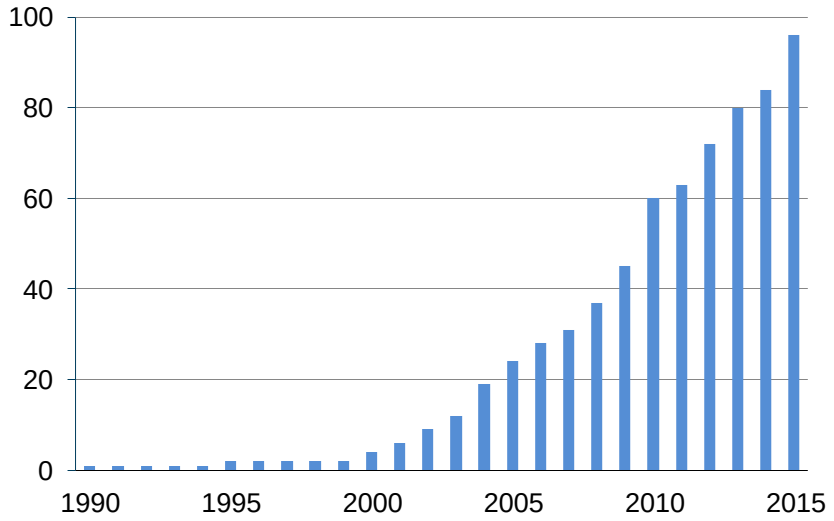
Destinations across California are increasingly using the TMD model to ensure more stable funding.

Since their inception, Tourism Marketing Districts have expanded rapidly. By 2015, a total of 96 destinations in California had designated marketing districts to ensure reliable and effective sources of funding, often in addition to existing DMO funding.

The combined budgets of these nearly 100 TMDs in California was nearly $200 million and represents intense competition among destinations.

As other destinations develop and expand marketing funding mechanisms, Greater Ontario will need to keep pace in order ensure it can compete effectively and at least maintain market share.

Rapid expansion of California TMDs



Source: Civitas

TMD funding is critical to compete

Total marketing funding available to promote Greater Ontario was more than $2.0 million in fiscal 2015.

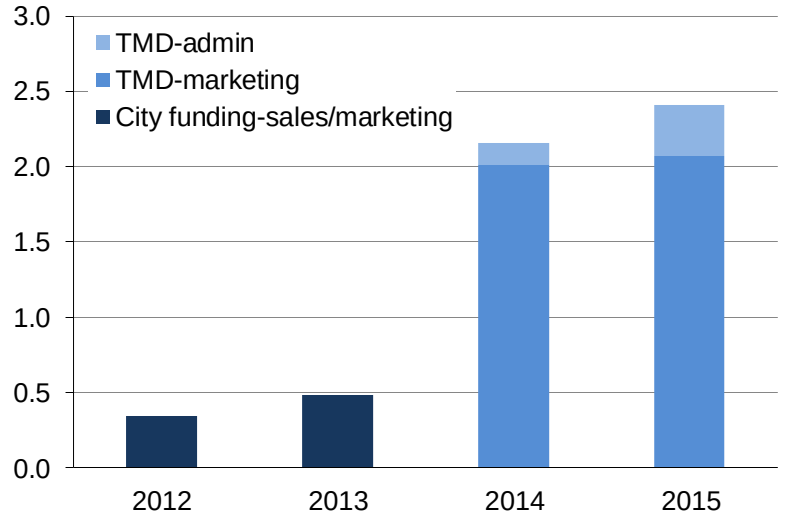
The GOTMD, established in mid-2013, significantly increased the amount of funding for marketing Greater Ontario as a destination. Prior to the TMD, less than $0.5 million was allocated from the City budget for marketing activities of the CVB.

In fiscal 2014, the first year of the TMD, more than $2.0 million of TMD funds were raised, and marketing activities accounted for the 93% of the total, and administration the rest. In fiscal 2015, $2.4 million in TMD funds were raised, again with the vast majority of funding going directly towards marketing.

The TMD has effectively quadrupled funds available to promote Greater Ontario as a destination.

The TMD has expanded marketing funding

$ millions, by fiscal year



Source: Greater Ontario CVB

Comparing budgets

Greater Ontario ranks 13th out of 15 destinations, in terms of absolute budget.

The annual level of DMO funding ranged from a low of $0.6 million in Coronado to a high of $46 million in Los Angeles. In absolute budget size, Greater Ontario ranks 13th out of 15 destinations.

The average funding of the competitive set is $10.3 million.

The competitive set was selected as competitors that offer a similar experience, located in the same region of California or close by, and could draw from the same pool of potential visitors.

DMO Budgets

Rank	Geography	DMO	Budget, $mils	Budget Year
1	Los Angeles	LA TCB	45.7	FY15
2	San Diego	SD TMD	33.5	FY15
3	Anaheim	Anaheim/OC VCB	14.8	FY15
4	Palm Springs	Palm Springs CVB	13.1	FY15
5	Long Beach	Long Beach CVB	8.7	FY14
6	Santa Monica	Santa Monica TT	7.0	FY15
7	Newport Beach	Newport Beach Inc.	6.9	FY15
8	Monterey	Monterey Co DMO	6.9	FY15
9	West Hollywood	WH Marketing Corp	4.4	FY15
10	Huntington Beach	H. Beach MVB	3.6	FY15
11	Beverly Hills	Beverly Hills CVB	3.3	FY14
12	Pasadena	PCOC CVB	2.6	FY15
13	**Greater Ontario**	**GOTMD**	**2.4**	**FY15**
14	Carlsbad	Carlsbad CVB	0.6	FY15
15	Coronado	Coronado TID	0.6	FY15
	Group average		**10.3**	

Characteristics of benchmark destinations: hotel supply

Measured by the hotel room inventory, Greater Ontario ranks 6th out of 15 destinations in the competitive set, in terms of size of the industry.

Size of the destination can be measured by the inventory of hotel rooms. Los Angeles and San Diego are the largest in the competitive set with more than 30,000 rooms (including the downtown business districts only). The smallest competing destination is Coronado with 1,600 hotel rooms.

Greater Ontario's room inventory of just over 5,300 rooms ranks 6th out of 15 competitors, but is closer in size to the smaller competitors since the group average is highly skewed by Los Angeles and San Diego.

Room Inventory

Rank		Rooms, ths
1	Los Angeles	37.6
2	San Diego	34.0
3	Anaheim	15.6
4	Palm Springs	14.4
5	Long Beach	6.1
6	**Greater Ontario**	**5.3**
7	Carlsbad	4.1
8	Santa Monica	3.6
9	Newport Beach	3.2
10	Pasadena	2.8
11	West Hollywood	2.8
12	Beverly Hills	2.3
13	Monterey	2.2
14	Huntington Beach	1.8
15	Coronado	1.6
	Group average	**9.2**

Comparing budgets

After adjusting for the size of the destination, Greater Ontario ranks 13th in terms of funding per hotel room, reflecting a significant amount of room for a more competitive budget.

Normalizing DMO budgets on a per hotel room basis shows a better picture of promotional budgets relative to the size of each city's tourism sector.

DMO budget per hotel room ranges from $160 on the low end (Carlsbad) to $3,181 on the high end (Monterey).

With larger room inventories and economies of scale, the larger destinations Los Angeles and San Diego exhibit relatively lower per room funding.

Greater Ontario ranks 13th out of 15 cities, with DMO funding of $452 per hotel room. Destination promotion in Greater Ontario is funded at a level that is 40% of the group weighted average of $1,122 per hotel room.

Funding per Room

Rank		Funding/room, $
1	Monterey	3,181
2	Newport Beach	2,163
3	Santa Monica	1,977
4	Huntington Beach	1,945
5	West Hollywood	1,574
6	Beverly Hills	1,450
7	Long Beach	1,434
8	Los Angeles	1,216
9	San Diego	984
10	Anaheim	943
11	Pasadena	925
12	Palm Springs	908
13	**Greater Ontario**	**452**
14	Coronado	376
15	Carlsbad	160
	Group avg weighted	**1,122**
	Group avg unweighted	**1,312**

Greater Ontario hotel taxes in context

The effective lodging tax rate paid in Greater Ontario is consistent with the group average rate.

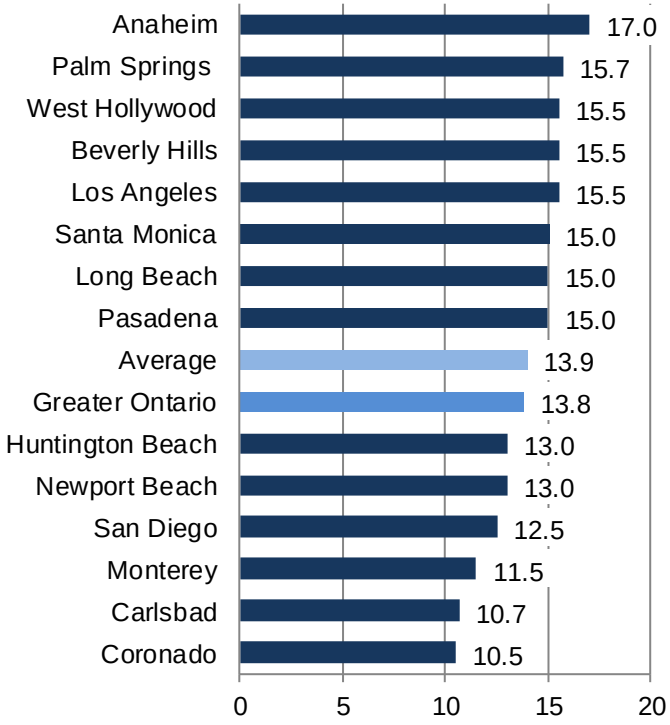
Lodging taxes and TMD assessments in Greater Ontario amount to an effective rate of 13.8%. This consists of an 11.8% TOT tax and a 2.0% TMD assessment .

The effective tax rate in Greater Ontario is just below the average tax rate of 13.9% for the for the competitive set.

Greater Ontario ranks 9th among the competitive set, higher than only Huntington Beach, Newport Beach, San Diego, Monterey, Carlsbad, and Coronado in terms of tax burden on lodging.

Hotel Tax and Assessments

Percent rate



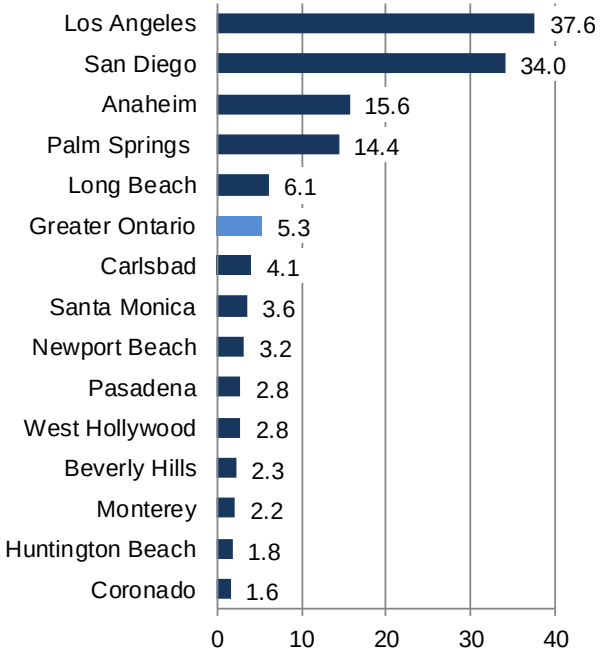
Sources: Civitas. DMAI: Tourism Economics

Funding metrics

Benchmarks illustrate that Greater Ontario marketing funding, on a per hotel room basis, is relatively low and may undermine effective competition with key regional destinations.

Total hotel rooms

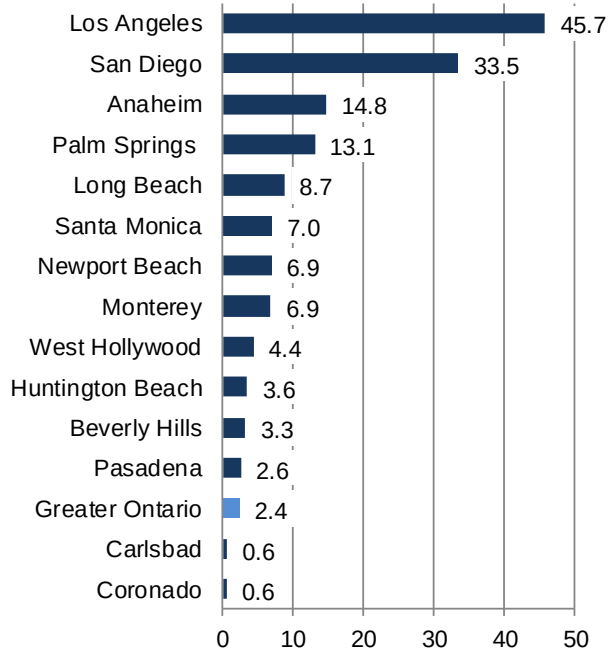
Thousands



Sources: STR; DMAI; Tourism Economics

DMO total funding

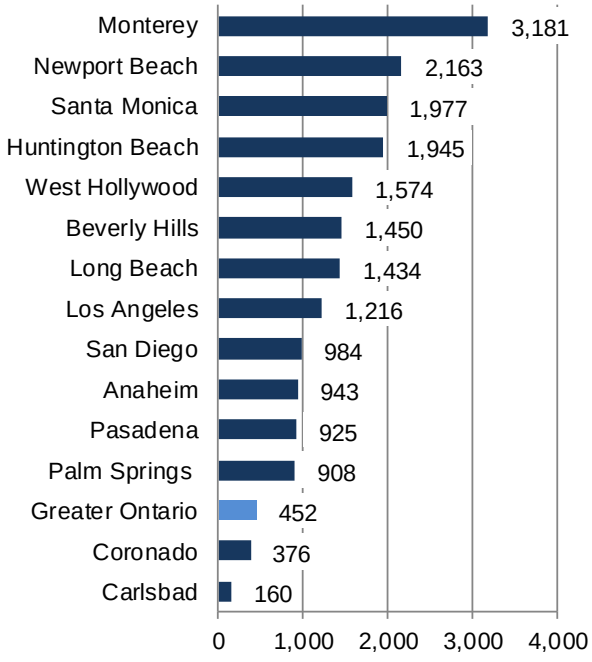
Millions



Sources: STR, DMAI; Tourism Economics

DMO funding per hotel room

$ per room



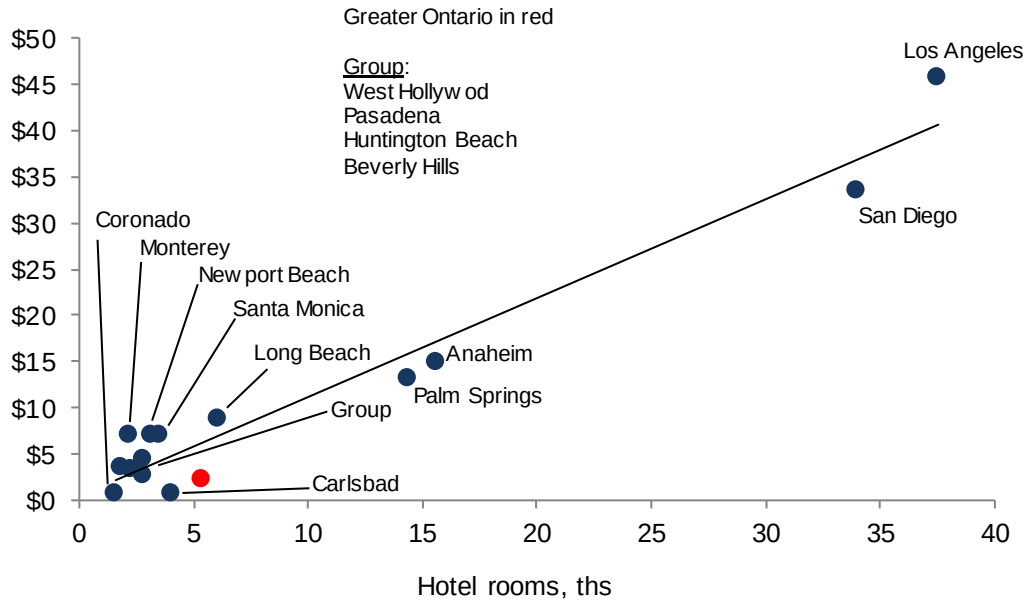
Sources: STR; DMAI; Tourism Economics

Funding metrics (continued)

Destination marketing funding tends to increase with the size of the industry. The level of destination marketing funding in Greater Ontario is low relative to that of competing destinations of similar size.

DMO funding compared to hotel inventory

$ millions



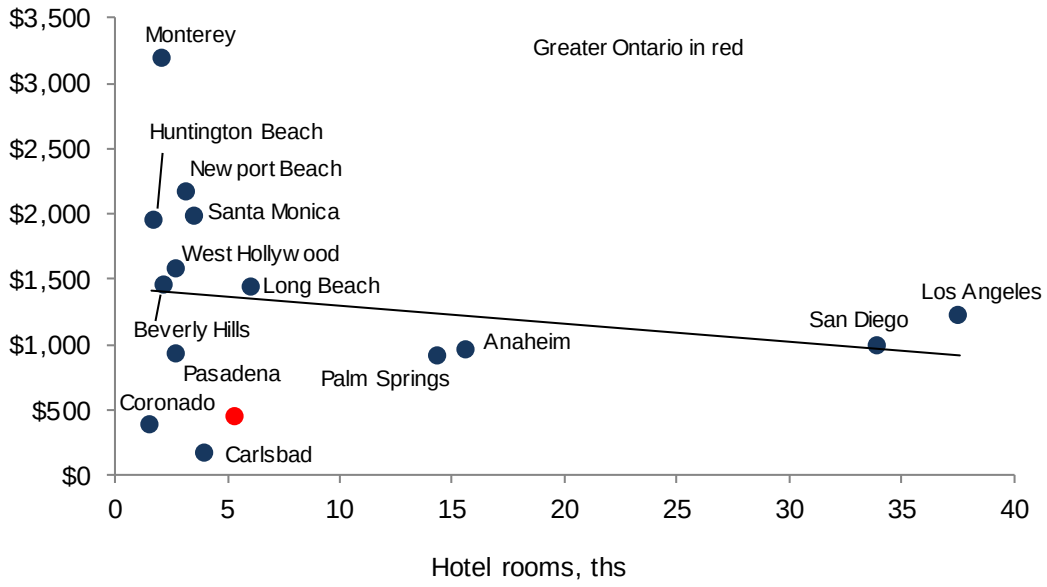
Source: STR; DMAI; Tourism Economics

Funding metrics (continued)

As the room inventory increases, economies of scale drive per room funding down. On this basis, Greater Ontario's budget could be more competitive with other regional destinations.

DMO funding per room compared to hotel inventory

Funding per room



Source: STR; DMAI; Tourism Economics

4. GOTMD marketing activities and benefits

Summary of GOTMD marketing activities

In fiscal 2015, TMD funding amounted to $2.4 million that made possible numerous projects promoting Greater Ontario as a destination. Activities and projects included:

- Public relations: 2,127 media articles, 2.2 billion media impressions, and publicity value of $53 million.
- Marketing: $30 million in advertising value and 1.3 billion ad impressions
- Key events: four key events that totaled $31.2 million in economic impact
  - Inland Empire Restaurant Week - $1.3 million economic impact
  - Huck Finn Jubilee Bluegrass Music Festival - 38,300 attendees and $7.1 million economic impact
  - Route 66 Cruisin' Reunion - 200,000 attendees and $22 million economic impact
  - Christmas on Euclid Experience - 12,000 attendees and $840,000 economic impact
- Website presence: 222,000 website visitors (163,000 new visitors), 357 room-nights and $35,000 in room revenues driven by the website over two years in FY15
- Social media presence: 21,000 Facebook "likes", more than 420 Instagram followers, and more than 1,640 Twitter followers.

Website referrals and hotel bookings

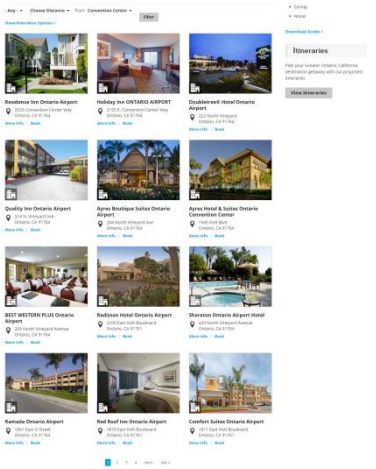
The Greater Ontario CVB website serves as a key source of information and also refers visitors directly to TMD hotel websites and facilitates bookings.

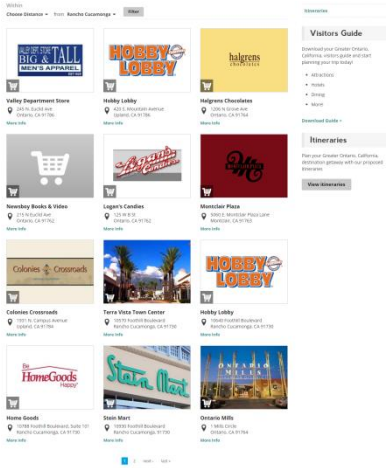
The discoverontariocalifronia.org website provides information on what visitors can do in Ontario and Rancho Cucamonga, where to go, key events, and where to shop and enjoy area restaurants.

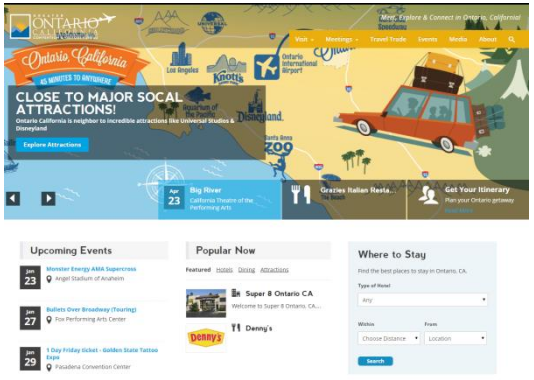
Visitors to the website are offered suggested itineraries according to interests and themes, such as hiking and outdoor activities, arts and culture, history and landmarks, or fun and games.

A key feature of the website is to provide a list of accommodation options in Greater Ontario searchable by price level, location, and amenities available. A visitor to the website can also click through for more information about a hotel or click the “Book” button to book at the hotel.







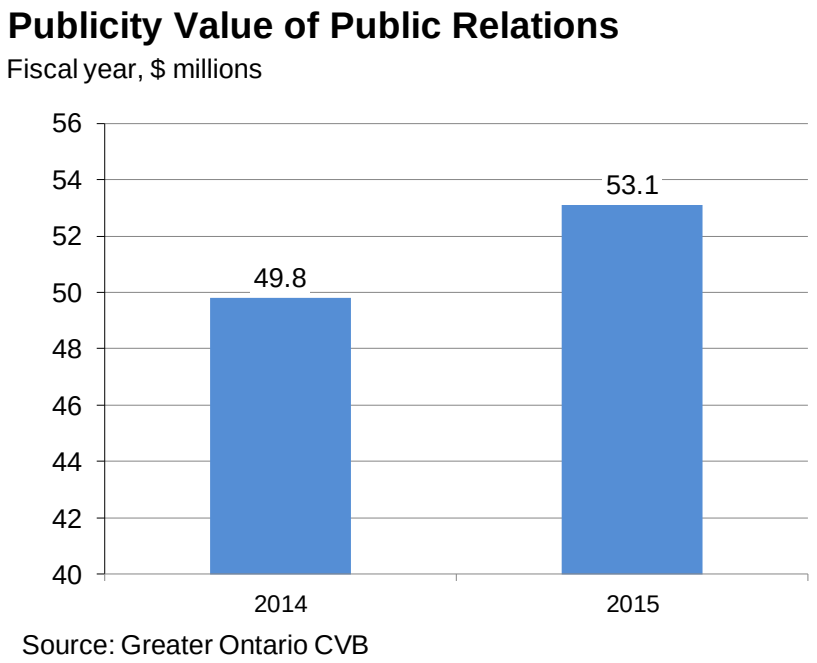


Publicity and marketing value

The estimated value of publicity resulting from Greater Ontario's earned media exposure and public relations increased to $53.1 million in FY15.

The estimated value of publicity of Greater Ontario's exposure in the media increased to $53.1 million in FY2015, a 6.6% increase from the previous year.

In addition to publicity value of Greater Ontario's exposure in the media, advertising and marketing campaigns were conducted to raise brand awareness of the destination. As a result of these marketing efforts, a total of 1.3 billion impressions were achieved for an advertising value of $30 million.

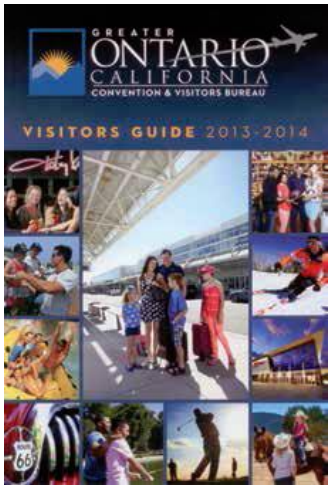


Source: Greater Ontario CVB

Resources and guides

Available resources included printed visitor and meeting planner guides, a restaurant map, and content made available on the Greater Ontario CVB website.









Room demand generated for TMD hotels

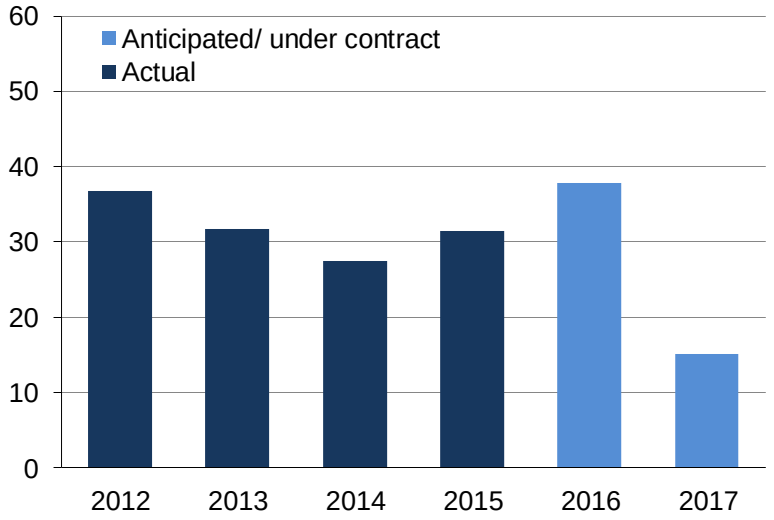
Since the inception of the GOTMD in 2013, more than 72,000 room-nights have been generated at TMD hotels by CVB sales efforts. More than 52,000 room-nights are already anticipated for the next two years.

Sales and marketing efforts by CVB staff have generated thousands of room-nights for Greater Ontario hotels. Since the inception of the TMD, 100% of these CVB-generated room-nights have been at TMD properties.

In 2015, more than 31,000 room-nights were generated by the CVB at TMD hotels, and nearly 38,000 room-nights are anticipated or under contract for 2016.

Room-nights Booked in Greater Ontario Hotels

Calendar years, thousands



Source: Greater Ontario CVB

Website drives traffic to TMD hotels

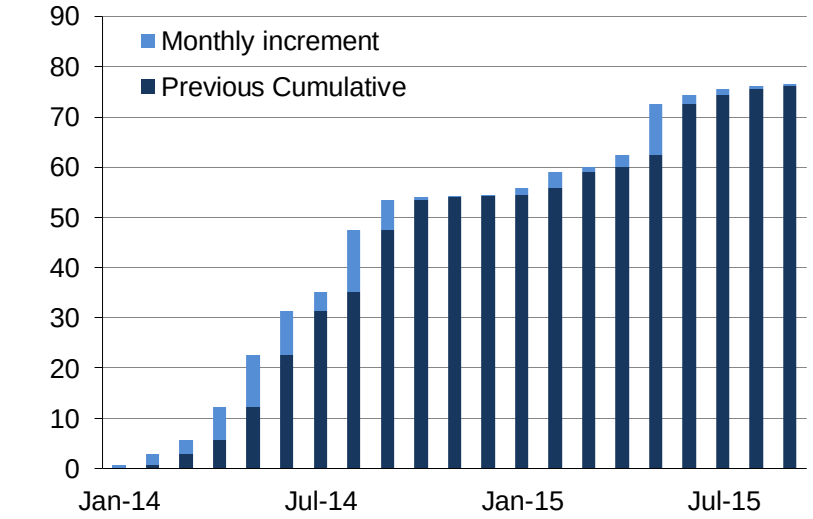
Nearly $77,000 in room revenue has been generated at TMD hotels through direct referrals from the GO CVB website since 2014.

The discoverontariocalifronia.org website provides direct links to TMD hotels and facilitates booking. In 2014, a total of 561 room-nights and $54,000 in room revenues were generated at TMD hotels from the website. In 2015, with data through September only, 216 room-nights and $22,000 in room revenues were driven by the website.

On a cumulative basis, the CVB website directed nearly 780 room-nights and $77,000 in revenues to TMD hotels since 2014. All of these website referrals were to TMD hotels.

Website Referals to TMD Hotels

Room revenues in $ thousands



Source: Greater Ontario CVB
Note: 2015 is through Spetember only

5. Conclusions

Conclusions

1. **Destination promotion is a critical economic development function and should be prioritized.**

2. **Greater Ontario has been competing with regional destinations and keeping pace in terms of room demand, but not ADR, room revenues, or occupancy.**

3. **Many California destinations are creating TMDs in order to increase and ensure a stable source of marketing funding. In order to at least maintain market share Greater Ontario will need to keep pace with competitors' marketing efforts.**

4. **The Greater Ontario TMD budget is small relative to competing destinations, even when adjusted for size of the tourism market. This relatively smaller marketing budget may be undermining the destination's ability to compete effectively in the market place.**

5. **All hotels in Greater Ontario are in the TMD and realize the benefits of GOTMD's marketing campaigns. 100% of website referrals and room-nights generated by CVB sales staff went to TMD hotels.**

Methods and data sources

Budget data were compiled by Tourism Economics from several sources, including non-profit Form 990s filed with the IRS, the DMAI Organization and Financial Survey of DMOs, and information gathered directly from the respective DMOs, including marketing plans, annual reports, financial statements, and through direct correspondence. The benchmarking of DMOs was done with fiscal 2015 data for most destinations. For Beverly Hills and Long Beach, the most recent data available were for fiscal year 2014.

Lodging industry metrics are based on Smith Travel Research (STR) data and capture supply, demand, revenues, occupancy, and average daily rates. For some geographies, adjustments were made to industry metrics to capture the primary area covered by marketing efforts.

Travel Monica

About Tourism Economics

Tourism Economics is an Oxford Economics company with a singular objective: combine an understanding of tourism dynamics with rigorous economics in order to answer the most important questions facing destinations, developers, and strategic planners. By combining quantitative methods with industry knowledge, Tourism Economics designs custom market strategies, destination recovery plans, tourism forecasting models, tourism policy analysis, and economic impact studies.

With over four decades of experience of our principal consultants, it is our passion to work as partners with our clients to achieve a destination's full potential.

Oxford Economics is one of the world's leading providers of economic analysis, forecasts and consulting advice. Founded in 1981 as a joint venture with Oxford University's business college, Oxford Economics enjoys a reputation for high quality, quantitative analysis and evidence-based advice. For this, its draws on its own staff of 30 highly-experienced professional economists; a dedicated data analysis team; global modeling tools, and a range of partner institutions in Europe, the US and in the United Nations Project Link. Oxford Economics has offices in London, Oxford, Dubai, Philadelphia, and Belfast.

TOURISM ECONOMICS
AN OXFORD ECONOMICS COMPANY

CITY OF ONTARIO *Agenda Report* **April 6, 2021**	**SECTION:** **ADMINISTRATIVE REPORTS/DISCUSSION/ACTION**
Department: Management Services Prepared By: Tricia Almiron Staff Member Presenting: Darlene M. Sanchez, Assistant City Manager Reviewed By: Jordan T Villwock Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 13

SUBJECT: A RESOLUTION EXTENDING THE LOCAL EMERGENCY, DIRECTING THE EMERGENCY ORGANIZATION OF THE CITY OF ONTARIO TO TAKE THE NECESSARY STEPS FOR THE PROTECTION OF LIFE, HEALTH AND SAFETY IN THE CITY OF ONTARIO, AND WAIVING PLANNING AND BUILDING PERMIT FEES ASSOCIATED WITH THE LOCAL EMERGENCY.

RECOMMENDATION: That the City Council adopt a resolution extending the local emergency directing staff to take the necessary steps for the protection of life, health and safety and waive planning and building permit fees pertaining to the Francis incident and associated with getting residents back into their homes as soon as possible.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety

FISCAL IMPACT: As the nature of a local emergency is still ongoing, the fiscal impact is evolving and unknown at this time. If approved, any applicable budget adjustments will be included in the next quarterly budget update.

BACKGROUND & ANALYSIS: On Tuesday, March 16, 2021, at approximately 12:30 p.m. the Ontario Police and Fire Dispatch Centers began receiving 911 calls for an explosion in the area of the 400 Block of Francis Street. Emergency crews arrived on scene, sized up the situation, and immediately began mitigating the fire caused by the explosion while providing medical aid to multiple injured individuals. Several roads were closed including parts of West Francis, West Maple, South Fern, and San Antonio. In order to keep the community safe, at 4:00 p.m., Evacuation Orders were issued for the surrounding area due to explosive materials and debris that were found to be spread across the neighborhood from the initial explosion. That night, the City Council proclaimed a Local Emergency to ensure resources were made available from local, state and federal agencies.

Due to the nature of the call and the explosives that were found in the area, the Ontario Bomb Squad called for assistance from the San Bernardino Bomb Squad, Riverside Bomb Squad, and the Orange County Bomb Squad. Additionally, the City coordinated with several county, state and federal agencies including the San Bernardino District Attorney's Office, California Office of Emergency Services (CalOES), State Fire Marshal, Alcohol Tobacco and Firearms (ATF), Federal Bureau of Investigations (FBI), and the Environmental Protection Agency (EPA). These teams working together searched the impacted area and were able deem the area safe to repopulate in four days.

The City's Emergency Operations Center was activated to a Level 2 (partial) to manage and support the incident. A public information hotline was established and staffed 24/7 to continue to connect residents with necessary services. Additionally, the De Anza Community and Teen Center was opened for four days from 7:00 a.m. to 7:00 p.m. to serve as a Care and Reception Site where residents could go to obtain information and services in coordination with the American Red Cross. Through this site, the American Red Cross aided a total of 164 individuals from 50 families. During this event two individuals were killed, and multiple others were injured in the area. In total, 56 structures incurred damage totaling approximately $3.5 million dollars.

On Thursday, March 25, 2021, the City hosted a Local Assistance Center (LAC) to help connect the impacted community to relevant services in order to support long term recovery. In total, the city had over 22 different governmental and non-governmental agencies represented and served over 52 families representing 209 impacted individuals.

Certain affected Ontario residents and their families continue to live in motels, as managed by the Red Cross and as subsidized by the City and certain community-based non-profit organizations. One obstacle to allowing residents to move back into their homes is the requirement to pay planning and building permit fees in order to repair homes affected by the explosion, including red and yellow tagged properties, to make them compliant with all applicable codes and regulations.

By his local emergency powers under Section 4-3.06(a)(7) of the City's municipal code, the City Manager may promulgate written orders and regulations necessary to provide for the protection of life and property as affected by an emergency, including an order waiving the requirement to pay City planning and building permit fees for residents affected by the explosion. The current conditions warrant and necessitate that the City of Ontario, pursuant to Section 4-3.06(a)(2) of the City's municipal code, continue the state of local emergency.

Residents near the Francis explosion are victims of a crime. This crime has damaged dozens of homes and affected the quality of life for the community. The City will assist the impacted victims and waive planning and building permit fees for the Red-Tagged, Yellow-Tagged, and properties near the explosion. A map of the impacted area is attached as an exhibit to this report.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, EXTENDING THE LOCAL EMERGENCY, DIRECTING THE EMERGENCY ORGANIZATION OF THE CITY OF ONTARIO TO TAKE THE NECESSARY STEPS FOR THE PROTECTION OF LIFE, HEALTH AND SAFETY IN THE CITY OF ONTARIO, AND WAIVING ALL PLANNING AND BUILDING PERMIT FEES ASSOCIATED WITH THE LOCAL EMERGENCY.

WHEREAS, on March 16, 2021, conditions of disaster or of extreme peril to the safety of persons and property arose as a result of a massive home explosion at the 400 block of West Francis Street (the “Explosion”); and

WHEREAS, City of Ontario Ordinance 2990 empowers the City Manager as the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when said city is affected or likely affected by a public calamity and the City Council is not in session; and

WHEREAS, on March 16, 2021, as a result of the Explosion, the City Manager, in his capacity as Director of Emergency Services proclaimed the existence of a local emergency, and on the same day, the City Council of the City of Ontario, California, approved and adopted Resolution No. 2021-024, ratifying the City Manager’s proclamation of the existence of a local emergency and directing the Emergency Organization of the City of Ontario to take the necessary steps for the protection of life, health and safety in the City of Ontario; and

WHEREAS, the cause of the home explosion is still under investigation, but the mandatory evacuation orders for those residents in and around the 400 block of West Francis Street have been lifted, and the City is working diligently with affected residents to allow them to return to their homes; and

WHEREAS, certain affected Ontario residents and their families continue to live in motels, as managed by the Red Cross and as subsidized by the City and certain community-based non-profit organizations; and

WHEREAS, one obstacle to allowing residents to move back into their homes is the requirement to pay planning and building permit fees in order to repair homes affected by the explosion, including red and yellow tagged properties, to make them compliant with all applicable codes and regulations; and

WHEREAS, by his local emergency powers under Section 4-3.06(a)(7) of the City’s municipal code, the City Manager may promulgate written orders and regulations necessary to provide for the protection of life and property as affected by an emergency, including an order waiving the requirement to pay City planning and building permit fees for residents affected by the Explosion; and

WHEREAS, the current conditions warrant and necessitate that the City of Ontario, pursuant to Section 4-3.06(a)(2) of the City's municipal code, continue the state of local emergency.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Ontario, California hereby proclaims the continued existence of a local emergency and directs the Emergency Organization of the City of Ontario to take the necessary steps for the protection of life, health and safety in the City of Ontario.

IT IS FURTHER ORDERED AND RESOLVED, that during the existence of said local emergency the powers, functions, and duties of the Emergency Organization of the City shall be those prescribed by state law, by ordinances, and resolutions of the City; and

IT IS FURTHER ORDERED AND RESOLVED, that the City Manager shall request that the City Council review the need for continuing the local emergency before the date that is thirty (30) days from the date of approval of this Resolution of Local Emergency; and

IT IS FURTHER ORDERED AND RESOLVED, that pursuant to the local emergency powers of the City Manager as set forth in Section 4-3.06(a)(7) of the City's municipal code, the City's building department shall issue permits without any associated fees or costs to all homeowners impacted by the Explosion and local emergency, including owners of red and yellow tagged houses in and around the mandatory evacuation zone; and

IT IS FURTHER RESOLVED, that the Resolution of Local Emergency shall take effect immediately and that widespread publicity and notice shall be given of said Declaration through the most feasible and adequate means of disseminating such notice throughout the City.

The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of April 2021.

_____

PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER, LLP
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held April 6, 2021 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

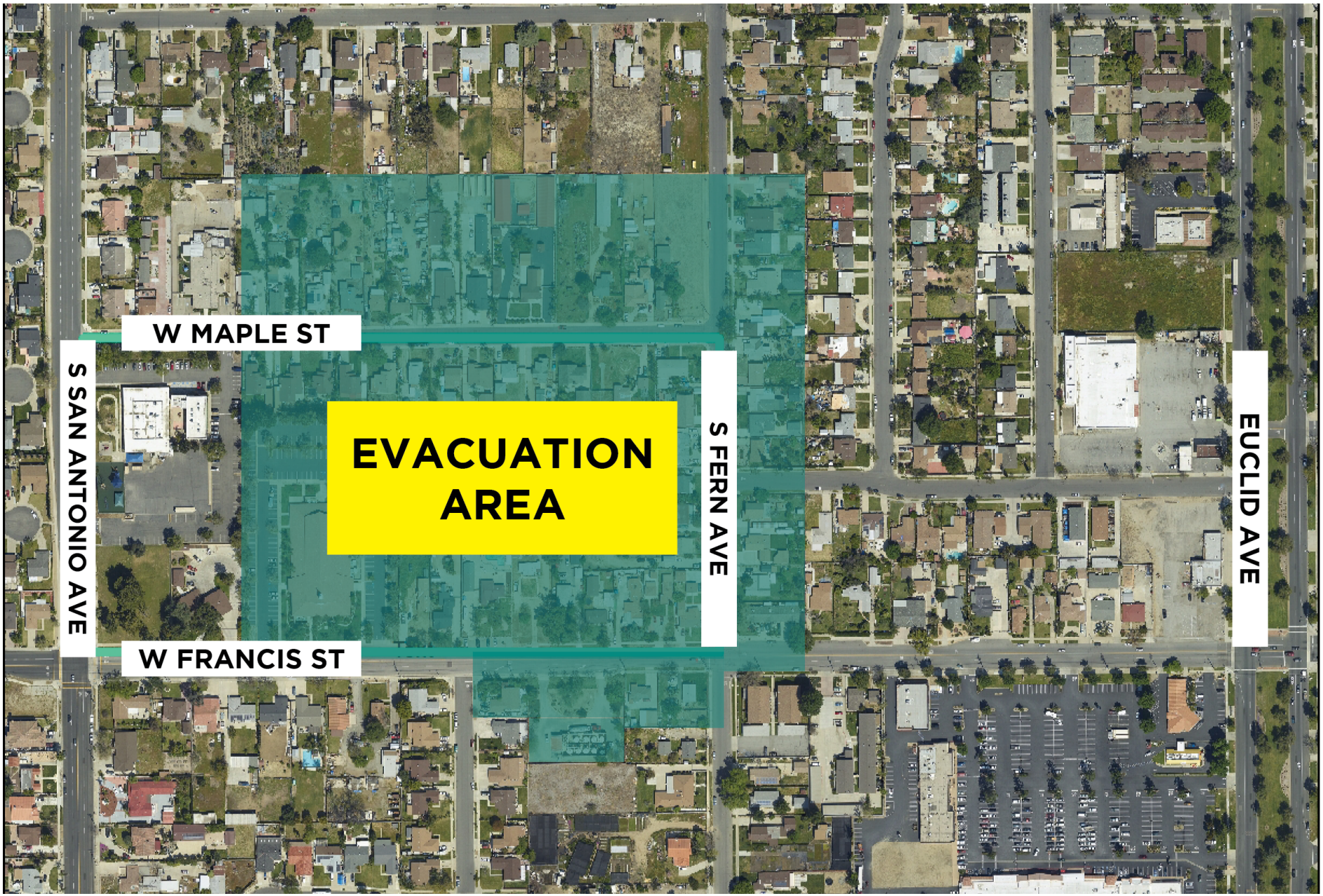
_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held April 6, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)


W MAPLE ST
S SAN ANTONIO AVE
EVACUATION AREA
S FERN AVE
EUCLID AVE
W FRANCIS ST